Codified Compassion: Politics and Principles in Humanitarian Governance

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Acknowledgements

This dissertation is about the crafting of community – a *humanitarian* community – out of disparate parts. The notion of 'community,' together with core concepts like 'field' and 'network,' suggests that political outcomes are irreducibly social; what appears, at first glance, to be solely the product of individual effort and rationality is, more often than not, enabled in the very first instance by its social framing – by the intersubjectively shared understandings that make life itself intelligible.

These observations are not limited to the subject matter covered by this dissertation; they apply equally well to my own research and writing processes. In other words, though this dissertation's cover page bears just two names – mine and my adviser's – it was a collective project, supported by my own community at the University of Minnesota, as well as by the networks and linkages I have made across both the humanitarian and academic worlds.

At Minnesota, my thinking has been profoundly shaped by my adviser, Michael Barnett. My very interest in humanitarianism was sparked by my work as his research assistant in 2006 and 2007, when I translated memoires and monographs by the leading (and colorful!) figures in the history of French aid agency Médecins Sans Frontières. Michael was one of the main reasons I came to Minnesota; his influence on my research has been indelible and I am exceedingly grateful for his strong support and guidance.

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Dedication

For my parents, whose support has been unconditional – and deeply appreciated.

Abstract

This dissertation analyzes recent attempts to devise rules and regulations to govern humanitarian action. Specifically, it asks: What drives humanitarian organizations to collectively regulate their principles, practices, and policies? Self-regulation, or self-organized attempts at collective action within direct state intervention, is a recent global phenomenon, affecting both the for- and non-profit worlds. In humanitarianism alone, there are now dozens of codes of conduct and other mechanisms that implicate all manner of humanitarian practice, from principles to aid provision. This research focuses on four key self-regulatory projects: the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief; the Sphere Project; HAP International; and the Code of Conduct on Images and Messages.

Contrary to the widespread view that firms regulate for branding and competitive reasons, this study finds that principled reasons better account for the origins of these initiatives. Specifically, it shows that self-regulation has emerged out of a crisis of legitimacy in the humanitarian sector, whereby aid veterans concluded that good intentions were no longer enough as a basis for action. As Rwanda demonstrated, good intentions can lead to terrible outcomes. Through self-regulation, aid workers have sought to shift humanitarianism's ideational foundations from charity and good deeds to professionalism, technical standards, and human rights. Contestations over self-regulation, in turn, derive from different understandings of humanitarianism – of its meanings and knowhow.

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List of Acronyms

ALNAP	Active Learning Network for Accountability and Performance in Humanitarian Action
CONCORD	European NGO Confederation for Relief and Development
CRS	Catholic Relief Services
DEC	Disasters Emergency Committee
DRC	Democratic Republic of the Congo
EC	European Community
ECB	Emergency Capacity Building project
ECHO	European Commission Humanitarian Office
EU	European Union
FAO	Food and Agriculture Organization
FBO	Faith-Based Organization
FIC	Feinstein International Center
GA	General Assembly
GHA	Global Humanitarian Assistance programme
HAP	Humanitarian Accountability Project
HO	Humanitarian Ombudsman Project
IASC	Inter-Agency Standing Committee
ICRC	International Committee of the Red Cross
ICVA	International Council of Voluntary Agencies
IDP	Internally Displaced Person
IFRC	International Federation of the Red Cross and Red Crescent Societies
INEE	Inter-Agency Network for Education in Emergencies
INGO	International Nongovernmental Organization
IR	International Relations
IRC	International Rescue Committee
ISO	International Standards Organization
IWG	Inter-Agency Working Group
JEEAR	Joint Evaluation of Emergency Assistance to Rwanda
JSI	Joint Standards Initiative
LEGS	Livestock Emergency Guidelines and Standards
LWF	Lutheran World Federation
MSF	Médecins Sans Frontières
NGO	Nongovernmental Organization
NPM	New Public Management
ODI	Overseas Development Institute
PIA	People In Aid

Q&A	Quality and Accountability
RC	Red Cross
RRN	Relief and Rehabilitation Network
SCHR	Steering Committee for Humanitarian Response
SEEP	Small Enterprise Education and Promotion Network
TNC	Transnational Corporation
ToT	Training of Trainers
UN	United Nations
URD	Urgence Réhabilitation Développement
US	United States
WVI	World Vision International

Chapter 1: Introduction: Codified Compassion

In the space of three decades, humanitarianism has evolved from a modest endeavor undertaken by small, volunteer organizations to a global industry populated by thousands of professional organizations (Barnett and Weiss 2008 ; Calhoun 2008). Collectively, these organizations, including CARE, Médecins Sans Frontières (MSF), Oxfam, and World Vision International (WVI), account for the majority of roughly $18 billion in yearly humanitarian spending (ALNAP 2010 ; Stoddard 2002). In political discourse, media coverage, and advertising, humanitarian organizations and themes are nothing short of omnipresent. It is little wonder that scholars and social commentators are now focusing considerable attention on humanitarianism.[1]

Indeed, some of the most consequential recent international events are simply incomprehensible outside of a humanitarian frame of reference. From Rwanda (1994) to the Southeast Asian tsunami (2004) to the earthquake in Haiti (2010), humanitarian organizations are ubiquitous features of the crisis and recovery environment. Their successes and, increasingly, failures dominate the news coverage. After the earthquake in Haiti, for instance, roughly 1000 international nongovernmental organizations (INGOs) helped raise more than $1 billion in funding for relief and rebuilding. It was an unparalleled mobilization, but it was also deeply problematic – media outlets lambasted waste, poor coordination, and a lack of accountability among organizations (e.g. Katz

[1] Mika Aaltola suggests: "Humanitarianism has arguably become the key frame through which the multifarious actors of the world evaluate each other's legitimacy and determine their roles in the current world. The emerging "humanitarian paradigm" has become an essential expression of what is meant by "international community" and the contemporary world behind it" (Aaltola 2009: 1).

2010 ; Carroll and Phillips 2010 ; McGreal and Addley 2010). In Haiti and elsewhere, news coverage is increasingly critical of NGOs (Bendell 2006).

Given the tenor of the news coverage, we tend to overlook the fact that some of the strongest criticisms of humanitarian action have actually come from *within* the sector (Terry 2002 ; Stockton 2000 ; Vaux 2003). Motivated by principled beliefs about the proper practice of humanitarianism, and responding to a growing sense of crisis in the sector, humanitarians have expended considerable time and effort debating core principles and developing rules and regulations to govern the sector. *Self-regulation*, defined as self-organized attempts at collective action without direct intervention from a state or public authority, has become a veritable humanitarian phenomenon (King and Lenox 2000 ; also Leader 1999).[2] Today, there are more than a dozen international self-regulatory initiatives, most developed in the last two decades, with scores more at regional and local levels (Sphere Project 2009e ; Shenoy et al. 2007 ; HAP 2010e). They range from voluntary codes of conduct to more elaborate institutional structures with enforcement and sanctioning mechanisms and, collectively, touch on every single aspect of organizational life.

My goal in this dissertation is to capture the evolving organizational reality of international humanitarian action through an analysis of the means by which it is governed and reproduced. Specifically, I seek to understand humanitarian self-

[2] This same phenomenon is also known as Quality and Accountability (Q&A) or accountability clubs. I prefer the term "self-regulatory," which captures both the origins of these codes (within the sector) and their ultimate function, which is to regulate, or codify, humanitarianism. Each of the initiatives I study self-identifies as self-regulatory. The common denominator is that they come from within the sector; unlike donor funding mechanisms or national non-profit regulations, humanitarian self-regulation is designed by and enforced by NGOs themselves.

governance by charting the origins of key codes of conduct and quality mechanisms. Prior to 1989, the notion of a code of conduct in humanitarianism was basically inconceivable. Three decades later, codes are ubiquitous features of the sector. How are we to account for the sudden, recent emergence of humanitarian self-regulation? What drives organizations to develop these mechanisms?

I argue that self-regulation has emerged out of a fundamental crisis of legitimacy in the field of global humanitarianism. Following emergencies in the horn of Africa in the 1980s and Rwanda in 1994, especially, humanitarianism has been subject to a growing cacophony of voices that no longer take as sacrosanct its practitioners' claims to be doing good in times of need. From within the sector, too, has come a realization that good intentions are no longer enough, that aid may bring harm to the very people it intends to assist, and that something must be done to ensure the field's future viability. Confronted with the perception of crisis and experience of existential doubt, humanitarians turned to self-regulation in a bid to shift the very bases of humanitarian legitimacy. From charity and good-heartedness, these initiatives, which include the Code of Conduct,[3] the Sphere Project, and HAP International, have in different ways attempted to enact an identity of humanitarianism as professional, regulated, and rooted in International Law and human rights.

To date, the phenomenon of non-profit, and specifically humanitarian, self-regulation has received little systematic scholarly attention, particularly in International

[3] The Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief.

Relations (IR).[4] This is puzzling given the significant scope, magnitude, and ambitions of the various self-regulatory projects. For instance, the Sphere Project, analyzed in Chapter 4, creates *globally applicable* minimum standards for the provision of disaster relief, including standards for shelter construction, medical treatment, and water provision. The project has been groundbreaking in its scope, involving hundreds of NGOs, states, and institutions, as well as thousands of individuals. Its widely used *Minimum Standards* handbook has undergone three revisions and sold tens of thousands of copies. As I outline below, the scale and ambition of projects like Sphere herald changes in the governance of humanitarianism and in its organizational reality. For scholars, humanitarian self-regulation presents a valuable opportunity to understand emergent forms of global governance.

Humanitarian self-regulation is also puzzling inasmuch as the very idea of regulated humanitarianism, or "codified compassion," is at odds with popular ways of understanding humanitarianism, which emphasize the central position of ethics and trace action to spontaneous outpourings of we-feeling, what Norman Fiering called "irresistible compassion" (Fiering 1976). In the traditional understanding, humanitarians represent a more virtuous, even elemental, side of humanity. Humanitarians may indeed be "the last of the just" (Rieff 2002: 333; Barnett and Weiss 2008: 6), but the reality is that they are increasingly oriented around rules, standards, and procedures.

Understanding humanitarianism

[4] The "accountability club" approach is an obvious exception, whose claims I address below. Humanitarian practitioner-oriented publications, especially *Disasters* and the *Journal of Humanitarian Assistance* are partial exceptions, to the extent that they have covered individual initiatives.

In the tradition of the International Committee of the Red Cross (ICRC), *humanitarianism* is often understood as the impartial, neutral, and independent actions undertaken to protect the lives and dignity of victims of armed conflict and other situations of violence and to provide them with assistance. Following recent scholarship, I opt to define humanitarianism more broadly, as "the desire to relieve the suffering of distant strangers" (Barnett 2009: 622). This definition remains agnostic about the principles and organizational practices by which humanitarian relief is distributed. Given that self-regulation attempts to define principles and practices, it is useful – and theoretically consistent – to have a definition that avoids spelling these out *a priori*.

As a practical matter, there is considerable overlap between humanitarianism and development. As HAP International acknowledges, "the dividing line … is fluid. For example, activities such as disaster risk reduction include both types of assistance and, over time, an organisation may provide both disaster relief and development aid to the same group of people" (HAP 2010d: 2; also Borton 2009: 6). Following Margaret Buchanan-Smith, and in recognition of the fact that few agencies have a mandate that is solely humanitarian, I include agencies so long as their mandates and objectives are partially humanitarian (Buchanan-Smith 2002: 40).

Scholars customarily date modern humanitarianism to Solferino, Italy, where in 1859 Swiss businessman Jean-Henri Dunant organized relief for wounded soldiers following a battle between France's Napoléon III and Austria's Franz Josef. The institutional outgrowth of this was the formation of the ICRC in Geneva, Switzerland in 1863 (Ignatieff 1998 ; Barnett and Weiss 2008). However, the humanitarian impulse

runs much deeper. Humanitarianism emerges from Western philosophy and post-Enlightenment social movements, including social movements to end slavery, temperance movements, education activism, missionary work, and colonialism (Fiering 1976 ; Hunt 2007 ; Rist 2002). These sentiments took root in the 1800s as a way to remake the world to better serve humanity, specifically by transforming living conditions (Calhoun 2008).

As recent histories of humanitarianism make quite clear, the organizational and political realities of humanitarian action have evolved considerably since the era of Dunant (e.g. Barnett 2011 ; Walker and Maxwell 2008). Three trends are of particular relevance to the study of self-regulation. First, humanitarianism has experienced tremendous growth – in agencies, size, and complexity. In Chapter 2, I provide evidence of the historical shift from small, amateur organizations to a field populated by large, increasingly networked and professional INGOs. This shift has facilitated efforts at rule-making – professionalization and inter-organizational linkages are preconditions for the development of field-wide standards – and been, itself, intensified by the standards, each of which professes to increase professionalization.

Second, the organizational development of humanitarianism is very strongly correlated with crisis and social disruption; it would not be inaccurate to say that humanitarianism is defined by "the event." The Red Cross dates to Solferino and developed into an institutionalized, global actor during the First and Second World Wars. Save the Children dates to World War I; Oxfam to World War II; MSF to the Nigerian Civil War in the late 1960s. In the 1980s and 1990s, famine in Ethiopia and genocide in

Rwanda again precipitated tremendous growth in the number and size of humanitarian NGOs. Crisis is central to the humanitarian narrative, as it is in moments of extreme social disruption that we find the starkest expressions of human need. Crises galvanize public attention, facilitate massive outlays of funds, and precipitate large-scale international mobilizations. Numerous scholars have noted the capacity of crisis to provide impetus and space for political or normative change (Rozario 2007 ; Legro 2005 ; Price 1998: 622; Sunstein 1997: 47).

Crisis figures quite prominently in the development of each of the major humanitarian codes and regulatory initiatives. The first codes were motivated by the experiences of aid veterans in the Horn of Africa in the mid-1980s; a second wave of initiatives, including Sphere, followed the Rwandan genocide. These specific events helped open opportunities for change in the sector by crystallizing humanitarian sentiments that reform was needed – what I later refer to as a crisis of legitimacy.

Finally, historically, geopolitical changes have impacted humanitarianism. For academics, as for policymakers, the end of the Cold War was the beginning of the era of "complex humanitarian emergencies," conflicts owing to multiple causes, featuring multiple local actors, and compelling an international response (Calhoun 2008 ; c.f. Barnett 2011). On a policy level, particularly since September 11, security is increasingly about managing under-development and transition (Duffield 2001 ; Hoffman and Weiss 2006). Heightened state interest in humanitarianism has meant greater funding for aid and development – a three-fold increase in official assistance in the 1990s – but this aid comes with stringent conditions, and more pressure is being placed on

humanitarians to demonstrate impact and to increase coherence with donors' political agendas.[5] The politicization of aid is a constant subtext in the history of self-regulation.

Understanding self-regulation

Self-regulation, concerning rules and procedures formulated by humanitarians to govern themselves, fits broadly within the category of global governance. *Global governance*, defined as a set of codified rules and regulations of transnational scope, and the collection of authority relationships that arrange, monitor, or enforce these rules, provides a general framework for understanding the development of ordering mechanisms outside of government (Avant et al. 2010b ; Held and McGrew 2002). For the most part, though, scholarship on global governance has not led to greater attention to NGO governance.[6] To the extent that nongovernmental organizations figure in this literature, they are generally portrayed as promoters and enforcers of rules and norms on other parties, be they states or transnational corporations (TNCs)(e.g. Keck and Sikkink 1998 ; Price 2003 ; Khagram 2002). To date, little research has been conducted on NGOs' efforts to regulate *themselves*.

The major exception to this rule has come from the intersection of IR and public policy, where a group of scholars, grouped under the "accountability club" framework, has developed an approach to nonprofit self-regulation. Club theory links self-regulation to the increased public scrutiny of NGOs (agents) by their principals (especially donors). In a recent volume, Gugerty and Prakash (2010) argue that nonprofit scandals impose

[5] (See Barnett and Weiss 2008 for an overview; see Macrae 2002 ; Brusset and Tiberghien 2002 ; Stoddard 2002 on funding and growth in size and complexity of NGOs; and see Randel and German 2002 on ODA, earmarking, and bilateralism).
[6] (See Stroup 2012 for a similar critique).

reputational costs, not just on the wrongdoers, but on similar actors as well. Consequently, "credible nonprofits – the good apples – can be expected to seek ways to differentiate themselves from the bad apples and credibly signal their commitment towards good governance" to their principals, including supporters and donors (Gugerty and Prakash 2010: 4; see also Tschirhart 2010 ; Frumkin 2010). Self-regulation thus arises out of competitive pressures, whereby nonprofit agencies seek ways to increase brand awareness and market share. Accountability clubs enable NGOs to signal their reputation to principals; they also impart benefits for a firm's brand or reputation (Gugerty and Prakash 2010: 16-7; Bowman 2010 ; Bekkers 2010 ; Gugerty 2010).

A rationalist approach to the study of politics, club theory is predicated on the assumption that actors are strategic, self-contained units that pursue consistent, ordered preferences and calculate costs and benefits to maximize utility in light of these preferences. *Rationalism* refers to a set of ontological propositions that, collectively, emphasize the impact of constraints and incentives on actors (Keohane 1986: 11; Shepsle 1989 ; Snidal 2002 ; Moravcsik 1997). In International Relations, rationalism is the dominant way of addressing questions of cooperation, regulation, institutional design, and enforcement, all themes with relevance for self-regulation (Koremenos et al. 2001 ; Hasenclever 1997 ; Oye 1985 ; Downs et al. 1996). Rationalism has underpinned recent analyses of humanitarian resource competition (Cooley and Ron 2002 ; Koch 2008), the relationship between non- and for-profit actors in relief provision (Hopgood 2008), NGO responses to credibility challenges (Gourevitch et al. 2012), and strategies for

humanitarian intervention (Barnett and Snyder 2008). Research on corporate and NGO codes of conduct is also frequently conducted through methodological rationalism.[7]

Applied to humanitarianism, rationalism emphasizes organizations' interest in survival and expansion in an environment characterized by uncertainty and fierce competition for resources. Collectively, rationalists challenge the widely held notion that NGOs differ from businesses and other organizational forms simply because they pursue principled beliefs rather than material interests (Cooley and Ron 2002 ; Sell and Prakash 2004 ; Siméant 2005). Self-regulation is a strategic response by actors to specific external pressures, especially those from funders, to self-regulate before being externally regulated, and to achieve brand benefits. Rule-making will be easiest in areas of preexisting agreement, but more effective, with significant branding benefits, where membership imposes real costs (i.e. enforcement).[8]

The accountability club approach has a number of compelling features. For instance, I agree that concerns over poor practice ("bad apples") has motivated regulation, that a function of self-regulation is to deter external regulation, and that codes with less stringent membership and enforcement requirements have had the easiest time attracting members (though this does not mean that they have not had an impact). Like the accountability club approach, I also identify competition as a significant variable in

[7] In industry self-regulation, "companies join together to regulate their collective action to avoid a common threat or to provide a common good by establishing a standard code of conduct" (King and Lenox 2000: 698).

[8] As Bowman writes, the most credible clubs have clear standards and monitor and impose sanctions for non-compliance. However, designers engage in a balancing act: standards must be stringent enough to affect perceptions of quality, but not too arduous, lest no one join (Bowman 2010: 65; see also Tschirhart 2010 ; Gourevitch et al. 2012: 15-8; on ease of regulation, see Ramalingam and Barnett 2010).

the development of new standards.[9] However, my research raises serious doubts about this approach's applicability to humanitarian self-regulation.[10]

First, while the accountability club correctly identifies the importance of competition in the development of self-regulation, its account of this competition is thin and under-politicized, limited to questions of resources and branding. My research finds that debates over self-regulation, while certainly carrying resource implications, are fundamentally rooted in basic definitional differences over the meaning, nature, and content of humanitarian action. Consequently, prioritizing instrumental self-interest and resource acquisition tends to obscure meaningful variation *within* and *among* aid agencies on questions of identity. In Chapter 6, on the Code of Conduct on Images and Messages, I encounter salient cleavages within NGOs over self-regulation and find that the Code has become a means for Development Education staffers to promote ethical organizational change. In Chapters 4 and 5, on the Sphere Standards and HAP International, I find important differences in approach among French and Anglo humanitarian agencies that stem from mission, identity, and history. Strategic logics alone cannot help us understand why even the weakest codes have been subject to fierce contestations.

Second, the accountability club approach lacks a macro-level framework for conceptualizing the recent, sector-wide spread of self-regulation. As such, while it can account for the creation of individual initiatives and competition among initiatives for members and resources, it lacks a broader understanding of the systemic forces – including professionalization and institutionalization – that have prepared the terrain for

[9] In the accountability club narrative, self-regulatory initiatives compete over members and market share.
[10] Similarly, Maryam Deloffre has argued that the development of Sphere owed more to principled beliefs about proper humanitarian action than it did to strategic thinking (Deloffre 2010).

regulation. Moreover, while these scholars are accurate in arguing that external pressures have been a feature of the NGO environment, my research does not find evidence to support their claim that self-regulation emerges out of a direct relationship between Principal and Agent. Though the pressures faced by humanitarian agencies to clean up their act are real, they are more diffuse than concrete, and the choice to regulate, let alone the choice of mechanisms and issue area, owes greatly to humanitarians' understandings of self and other. Thus, in each case, I find that the impetus for regulation has come from segments within the humanitarian community, with the initiatives often finding themselves in the position of lobbying for donor support for self-regulation, not vice-versa. To argue, as I do, that there is a generalized crisis of legitimacy is different from situating self-regulation in specific relations between principles and agents.[11]

To put it another way, the accountability club is attentive to only one of three possible levels of analysis, while my research indicates the need for a more holistic framework. Situating self-regulation at the level of resource competition among NGOs – a meso-level framework of analysis (concerning the relationships among actors) – can clarify some of the processes by which individual regulations are developed, but it cannot account for the macro-level spread of self-regulation, which is a more generalizable phenomenon that extends beyond criticism from Principals. Even the account of external pressure, which is potentially a macro-level force, is framed as a P-A relationship, and thus at the meso-level. My framework, which I develop in Chapter 2, calls specific attention to macro-level forces of legitimacy, professionalization, and structuration.

[11] This is similar to Barnett and Duvall's distinction between compulsory power, which is a direct relation between A and B, and productive power, which inheres in discourses but is not traceable to one sole locus (Barnett and Duvall 2005).

Third, and related, humanitarian self-regulation is directed *inward* as much as it is outward. I argue that self-regulation is fundamentally about identity, and relatively less about what might be considered instrumental self-interest. While agreeing with club theorists that self-regulation may function to preserve sector independence, I find that the motivations, rhetoric, and rationale for regulation derive from principled critiques of humanitarian action. In Chapter 3, for instance, I show that the Code of Conduct was the product of ideational entrepreneurs within the sector reacting to their perceptions of poor practice. So, too, do I note in Chapter 4 that the Sphere Project actually preceded the Joint Evaluation of Emergency Assistance to Rwanda (JEEAR). Moreover, from a purely instrumental standpoint, I find that the benefits humanitarian organizations derive from self-regulation are not always apparent. Branding benefits, for instance, are not yet realized – a point I make in Chapter 6. As I demonstrate throughout, the impact of self-regulation on agencies is often assumed or taken on faith; proponents have had difficulties systematically demonstrating its impact.

Humanitarianism as an organizational field

Whereas club theorists focus on external pressures and strategic self-regulation, I source NGO self-regulation to principled argumentation by ideational entrepreneurs responding to environmental cues, and see self-regulation as raising fundamental, even existential, questions about the nature, identity, and scope of humanitarian assistance. While it is clear that many NGOs are concerned with survival, growth, or brand, my research leads me to question whether these concerns are sufficient proxies for analyzing

humanitarian action, and suggests that there remains something distinctly *humanitarian* about humanitarian NGOs.[12]

I argue that self-regulation emerges out of a crisis of legitimacy in the humanitarian field. I understand humanitarianism as an *organizational field*, a concept I draw from Sociology's new institutionalism.[13] In Chapter 2, I spell out my approach, which blends the organizational analysis of new institutionalism with the dynamism and contingency implied in Pierre Bourdieu's original formulation of the "field." Organizational fields are local social orders composed of organizations and characterized by rules, values, and knowledge specific to them.[14] Field boundaries "affect how organizations select models for emulation, where they focus information-gathering energy, which organizations they compare themselves with, and where they recruit personnel" (DiMaggio 1991: 267; Koelble 1995: 234).

To approach humanitarianism as a field is to contextualize the actions of individual humanitarians and agencies (individual and meso level) within broader social structures (humanitarianism itself, macro level), and to apprehend individual actions to regulate, and contestations over these regulations, as struggles over the rules and

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[12] There is plenty of evidence to demonstrate that INGOs consider branding and visibility in planning and implementing campaigns, including in Goma, DRC after Rwanda and in Southeast Asia after the Tsunami (Cooley and Ron 2002 ; Schloms 2005 ; Stirrat 2006: 16; on branding, see Vestergaard 2008 ; Cottle and Nolan 2009). At issue is not whether NGOs are interested in funding or act in ways consistent with survival and expansion. Rather, the issue is whether self-interest and strategic thinking are sufficient for explaining the development of humanitarian self-regulation, and whether the search for funding has, as Cooley and Ron claim, pushed concerns like ethics, efficiency, and self-criticism "to the margins" (16).

[13] Like other constructivist scholars, I find sociological institutionalism valuable for the attention it calls to the social structures that legitimate actors (Finnemore 1996 ; Barnett and Finnemore 2004 ; Stroup 2012).

[14] I am especially indebted to Dezalay and Garth, who define a field as a "symbolic terrain with its own networks, hierarchical relationships, and expertise, and more generally its own rules of the game, all of which are subject to modification over time and in relation to other fields" (Dezalay and Garth 1996: 16). Bourdieu elaborates: "Fields present themselves synchronically as structural spaces of positions (or parts) whose properties depend on their position within these spaces and which can be analyzed independently of the characteristics of their occupants (which are partly determined by them)" (Bourdieu 1993: 72).

ideational resources of the humanitarian game. These contests in turn occur in an international context characterized by changing global understandings of legitimacy and authority that reconfigure social capital within the humanitarian field. The concept of the organizational field provides a basis for understanding three elements of humanitarian self-regulation: constitution, contestation, and connection.

When we speak of *constitution*, we are assessing the stakes in humanitarian self-regulation. Is it about securing market share and responding to Principal-Agent dilemmas? Or are the stakes more fundamental? I find that individual instances of self-regulation are vehicles for ideational entrepreneurs to advance specific understandings of humanitarian identity. From principles (what is humanitarianism?), to delivery (how does humanitarianism operate?), to organizational processes (how are organizations developed?), self-regulation is directed *within* the field, and *at* the field itself. Put another way, self-regulation is performative; it is a practice that brings into being that which it claims to regulate – humanitarianism as a professional field.[15] As Bourdieu argued, the structure itself, definitions, and identities are always at stake in the struggle over the field[16] (Bourdieu 1993: 73; Bourdieu and Wacquant 1992: 99).

The field also shapes our understanding of humanitarian action in general, and self-regulation in specific, as essentially *contested* by its participants. To understand humanitarianism as a field is not to see it as a fixed structure, but as constantly in flux.

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[15] I am grateful to Lisa Disch for this point.

[16] "The very notion of writer, but also the notion of lawyer, doctor, or sociologist, despite all efforts at codification and homogenization through certification, is at stake in the field of writers (or lawyers, etc.): the struggle over the legitimate definition, whose stake – the word definition says it all – is the boundary, the frontiers, the *right of admission*, sometimes the *numerus clausus*, is a universal property of fields" (Bourdieu and Wacquant 1992: 245).

Humanitarian agencies do indeed compete over self-regulation, but for reasons other than those predicted by club theorists. Fights over self-regulation spring from different conceptions of humanitarianism as an endeavor, and through these contests the field is recreated.[17] For instance, though MSF has fought the popular Sphere Standards, which define standards for the provision of humanitarian relief, this should not be seen as MSF casting off the mantle of a humanitarian agency. Rather, the very fact of contestation presupposes agreement about what is worth fighting about (Bourdieu 1993: 73).

Finally, analyzing humanitarianism as a field enables the drawing of *connections* between diverse groups and initiatives. To approach the Code of Conduct, the Sphere Project, HAP, and the Code of Conduct on Images and Messages as isolated instances of regulation risks overlooking the complex ways that these initiatives have cross-fertilized, the links in personnel and missions, and the often similar circumstances from which they emerge. At times, they even resemble a web of regulation, though the relationships, and competition, among them is indelibly more complex. New institutionalism, in particular, calls attention to field-level processes, such as professionalization and structuration, that interpenetrate organizations and link initiatives.

IR scholars have a number of conceptual tools for understanding linkages among actors and organizations; the field is generally not one of them.[18] However, the field is

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[17] "A field is simultaneously a *space of conflict and competition*, the analogy here being with a battlefield, in which participants vie to establish monopoly over the species of capital effective in it—cultural authority in the artistic field, scientific authority in the scientific field, sacerdotal authority in the religious field, and so forth—and the power to decree the hierarchy and "conversion rates" between all forms of authority in the field of power. In the course of these struggles, the very shape and divisions of the field become a central stake, because to alter the distribution and relative weight of forms of capital is tantamount to modifying the structure of the field" (Bourdieu and Wacquant 1992: 17-8).

[18] Though there are exceptions. On fields, see (Guzzini 2000 ; Leander 2008); on organizational fields, see (Tvedt 2002 ; Hall and Taylor 1996). Barnett also refers to humanitarianism as a field (Barnett 2005b).

uniquely suited to the present analysis, for reasons that are clear in comparing it to the most common alternative concept, the network. *Networks*, or patterns of regular and purposive relations among units, are certainly highly relevant to the study of humanitarianism. Humanitarian interventions themselves are networked operations involving NGOs, states, international organizations, and a multiplicity of other actors (Holohan 2005 ; Duffield 2001 ; Stephenson 2005). However, the network is primarily an organizational concept, which is to say that it says a great deal about how diverse parts are arrayed, but says little about shared ideas beyond reputational considerations and reciprocity (Powell 1990). There is nothing *essentially* social about a network.[19] Moreover, a core principle of networks is complementarity, whereby actors offer different, mutually reinforcing services. Like a network, a field implies links among actors, but these links form not on the basis of complementarity or issue-specific cooperation, but on shared domain of practice and common principles. Finally, perhaps most essentially, while a field may contain networks – and I would consider the network to be a complementary concept – it is not *reducible* to them. Thus, though InterAction (US) and VOICE (Europe) are powerful humanitarian networks, the humanitarian field extends beyond them and their membership.

The humanitarian field is not an autonomous entity, no more than any social realm exists in isolation. Humanitarianism exists in relation to other fields – the development and human rights fields being close cognates – and humanitarians,

[19] Transnational advocacy networks (TANs) are an obvious exception; they function based on shared ideas and in pursuit of principled objectives (Keck and Sikkink 1998 ; Khagram 2002 ; Price 2003). However, this literature has paid little attention to the norms that govern TANs themselves. Social networks are another exception. Both TANs and social networks are "network plus" concepts – they have expanded on the network concept to include elements that are not present in all networks.

especially in times of crisis, search for models from outside their field. Indeed, whereas sociological institutionalism tends to highlight isomorphism and stability (DiMaggio and Powell 1983 ; Koelble 1995 ; Finnemore 1996), one of my insights is that *crisis*, periods of instability involving the disruption of the established social order, serves as a pivot point for deep political change (see Rozario 2007 ; Legro 2005 ; Price 1998: 622; Sunstein 1997: 47). In humanitarianism, the preeminent crisis, precipitated by growth, high profile failures, and increasing state intervention, has been one of legitimacy.[20] It is legitimacy, more than direct pressure from "principals," that has helped spur codification.

Legitimacy is "a generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs and definitions" (Suchman 1995: 574). In IR, legitimacy has to do with perceptions of the right to rule; it is thus intimately linked to authority (Buchanan and Keohane 2006 ; Avant et al. 2010a: 360; Reus-Smit 2007). Humanitarianism's legitimacy, and therefore its basis for action, is traditionally derived from its principles of charity, humanity, and moral selflessness. Humanitarians, driven by feelings of moral duty, act when states fail to fulfill their duties (Rieff 2002 ; Calhoun 2008). Increasingly, though, practitioners are finding that good intentions are no longer enough, and that NGOs' normative claims are no longer accepted at face value by publics. Indeed, while opinion polls show that public trust of NGOs is still higher than in government and business, it is on the decline (Bendell 2006: ix-x; Slim 2002 ; Naidoo 2004). Nick Leader

[20] Michael Barnett notes that "many contend that the humanitarian system is in trouble;" Wolf Dieter-Eberwein writes of the veritable "destruction of the international humanitarian order;" and David Rieff and Nicholas Leader lament humanitarianism's "crisis" (Barnett 2005a, 2003 ; Eberwein 2005 ; Rieff 2002 ; Leader 1998 ; see also Frangonikolopoulos 2004 ; Walker 2005). This crisis is also the subject of a recent edited volume looking on NGO credibility (Gourevitch et al. 2012).

has noted an "appreciable shift of the Western media perception of the aid worker away from the white heroine to a much more ambiguous figure who may be 'feeding killers'" (Leader 1998: 292).

Like club theorists, then, I find that external factors matter in understanding humanitarian self-regulation. Like states and corporations, civil society actors are increasingly under pressure to account for their actions internationally. A veteran of the Irish nonprofit sector explained:

> We're very conscious of the fact that, ok, the Church has come under scrutiny, business, banking, government – we're next. You know, there's already beginning to be. And you have a generation now that aren't just going to accept that they're doing good. We've got to show that we make a difference, and therefore we've got to be transparent and accountable, and the organizations that are closest to the donors – if you're fundraising, you have to answer those questions (Int. 24).

However, I show that external pressure is an enabling factor – in many cases, it is necessary, but not sufficient, to explain humanitarian self-regulation. In each chapter, I find that legitimacy challenges facilitated the action of normative entrepreneurs by contributing to an atmosphere of crisis and urgency, and thus opening space for action. To call self-regulation a response to a crisis of legitimacy is to situate these actions in a general mood (existential angst), rather than in specific pressures from Principals to Agents. Indeed, the pressure for codes of conduct is not simply (or, perhaps, even primarily) external! The key proponents of codification – Peter Walker, Nick Stockton, and Tony Vaux, among others – are long-time humanitarian veterans who advanced principled arguments for humanitarian reform. Crisis has provided political space and

discursive resources for these ideational entrepreneurs to advocate specific visions of humanitarian action, and to re-situate humanitarianism onto new bases of legitimacy.

But onto which bases? Legitimacy is not a singular concept, in the sense that multiple actions and orientations may confer it, and different sources carry different weight depending on the context – and the audience (Thaut et al. 2012).[21] Ossewaarde et al distinguish among *normative* legitimacy (moral claims), *regulatory* legitimacy (rootedness in International Law and rules), *cognitive* legitimacy (claims of expertise), and *output* legitimacy (proof of impact)(Ossewaarde et al. 2008). The perception that good intentions are no longer enough is an argument that normative legitimacy alone is insufficient. In different ways, in every single case I study, humanitarians are using self-regulation to make specific legitimacy claims, to bolster humanitarianism's normative legitimacy with additional elements.[22]

Significance of the question

Beyond the fact that self-regulation is a growing, but under-studied, phenomenon, there are several important substantive and theoretical reasons why we should be interested in this area of research. First, the study of humanitarian self-regulation opens new insights into NGO normativity. Whereas IR, and particularly liberalism and constructivism, has turned the study of non-state actors into a major area of inquiry,

[21] A number of recent studies highlight morality, expertise, and impact as sources of legitimacy (Boli 1999 ; Slim 2002 ; Barnett and Finnemore 2004 ; Avant et al. 2010a).

[22] For instance, the Sphere Project embodies claims to normative legitimacy, regulatory legitimacy, cognitive legitimacy, and output legitimacy. *Normative legitimacy* is ensured by the Humanitarian Charter, which defines core humanitarian principles. *Regulatory legitimacy* derives from the clear linking of humanitarian responsibility to a broad set of international laws and conventions. *Cognitive legitimacy* comes from the Sphere Minimum Standards, which diffuse expertise and good practice on a range of areas of intervention, including shelter and water. Finally, *output legitimacy* is supported by Sphere's focus on quantifiability, which lends itself to post-intervention impact assessment.

approaches to the study of NGOs remain poorly attuned to social forces working among them. This is illustrated by the literature on transnational activism, in which the focus is on NGOs as norm promoters and enforcers targeting states and corporations (e.g. Keck and Sikkink 1998 ; Price 1998 ; Khagram 2002). We now know a great deal about the strategies NGOs adopt to compel recalcitrant actors to adhere to international norms and standards, but we know little about their own governance and how they develop shared ideas about appropriate behavior. The study of self-regulation, and hence of NGO efforts to codify their own practices, potentially offers deep insights into how contestation over norms and principles shapes the bounds of conceivable action.[23]

Second, and related, taking ideas seriously means taking seriously the role of identities in the creation of institutional structures. This might seem a surprising statement, given constructivism's explicit focus on logics of appropriateness (e.g. Wendt 1999 ; Ruggie 1998 ; Adler 2002 ; Guzzini 2000). However, in practice, constructivism has often ceded ground to other approaches when it comes to explaining the origins of institutions. Thus, scholars advocating for "two-step" approaches and mixed methods cite rationalism's strength in explaining the origins of cooperation, institutionalization, and rule formation, leaving constructivists to theorize existing institutions' impact on identity through mechanisms of socialization in already created institutions.[24] My research finds that identity, specifically competing identity claims, can underpin efforts at

[23] Hilhorst and Schmiemann suggest that "an imagined humanitarian community is evolving in which humanitarians learn from each other and start to develop common agendas for change, despite differences that continue to exist between agencies" (Hilhorst and Schmiemann 2002: 498-499).

[24] (On the two-step, see Fearon and Wendt 2002 ; Zurn and Checkel 2005 ; on socialization, see Johnston 2008 ; Gheciu 2005 ; Risse and Sikkink 1999).

devising rules and regulations, and also that identity, not just strategic positioning, is a significant variable in understanding difficulties coordinating action.

Stemming from this is a third proposition: identity as a source of self-regulation provides grounds for assessing the impact, and deeper meaning, of voluntary (and frequently unenforced) codes of conduct. Put another way, though compliance with rules clearly matters, compliance is not the be all and end all when assessing voluntary codes.[25] In my case studies, I demonstrate that voluntary initiatives still matter to the extent that they change ideas about humanitarianism, are integrated into practices, or serve as precedent for future regulatory efforts. Self-regulation is about *power*, specifically about the power of rules to shape actions, define standards of appropriate behavior, and determine who is and who is not a humanitarian. Codes, if used and internalized, have the potential to restructure fields of action.

Fourth, my research, and specifically my understanding of the organizational field, suggests that structural approaches to the study of international politics need not be static or deterministic. This has historically been a tension in the IR subfield. Called the agent-structure debate, it has to do with whether international phenomena are more accurately attributed to individual agency or, instead, to overarching structures (Adler 2002 ; Wendt 1999). I find that while self-regulation involves situated social actors acting on environmental cues, the strategies they adopt, the ways they conceive of their actions, and the contestations that emerge are informed by, but in no way predetermined

[25] Even among humanitarians, there is the view that voluntary codes have limited impact (Buchanan-Smith 2003: 43; Lancaster 1998 ; Lloyd and de las Casas 2006).

by, structure.[26] Moreover, the field approach holds significant promise for understanding how sectors in general evolve, especially to the extent that other types of organizations (nonprofit, corporations, states) are impacted by similar global forces. After all, humanitarians are not the only organizations facing growing public reassessment, nor, as I discuss in my conclusions, are they the only ones to have turned to self-regulation. The relevance of this approach thus goes beyond the specific area of humanitarianism.

Finally, at a more fundamental level, *lives and livelihoods* are at stake in humanitarian self-regulation. For populations affected by war or disaster, the standards to which aid providers adhere may quite literally mean the difference between life and death. Immediately after the 1994 genocide in Rwanda, for instance, 50,000 refugees in the neighboring DRC (then Zaire) died in one month alone from disease and violence. Despite the best intentions, the humanitarian system failed to react in a sufficient, coordinated manner and "may also have contributed to an unnecessary loss of life" (RRN 1996: 23). Good intentions may yield terrible outcomes. If self-regulation is successful, the argument goes, it should mean that more lives are saved.

Research design

The universe of humanitarian self-regulation is large and growing. There are currently more than a dozen international initiatives, with scores more at the regional and national levels.[27] They vary widely in institutional mechanisms and regulatory focus,

[26] Bourdieu conceives of a two-way relationship between objective structures (of social fields) and incorporated structures (of the habitus); agents are not simply epiphenomena of structure (See Bourdieu 1998: vii-viii).

[27] The universe of cases includes the Red Cross/NGO Code of Conduct; the Sphere Project; the HAP 2010 Standard; the People In Aid Code; the Code of Good Practice for NGOs Responding to HIV/AIDS;

running the gamut from voluntary and unenforced codes of conduct to institutions with reporting requirements and enforcement mechanisms. Taken collectively, these initiatives implicate all aspects of a humanitarian organization's existence, codifying humanitarian principles, standardizing agency performance, rationalizing organizational processes, and addressing advertising portrayals.

I approach case selection with two considerations in mind. First, as an emerging area of research, case selection should prioritize theory-building (Keck and Sikkink 1998: 5-6). This research must thus account for the early and most significant examples of humanitarian self-regulation.[28] In humanitarianism, the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief (henceforth, "the Code of Conduct") is the first example of a system-wide self-regulatory initiative; the Sphere Project is the largest, in terms of numbers of organizations involved and research output. I devote separate chapters – Chapters 3 and 4 – to these codes. Within cases, I emphasize process tracing, a method intended to understand development, change, and evolution through the investigation of causal mechanisms (George and Bennett 2005: 6; Lohse and Johnson 1996 ; Mahoney 2010). My evidence consists primarily of archival materials, supporting documents, and interviews – 66 in-depth, semi-structured interviews with key figures (average duration: 55:43 min.) – and is

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Antares' guidelines on Managing Stress in Humanitarian Workers; GHP's Principles of Partnership; INEE's Minimum Standards for Education; the Code of Good Conduct in Food Crisis Prevention and Management; ECB's Good Enough Guide; the Livestock Emergency Guidelines and Standards Project; SEEP's Minimum Standards for Economic Recovery after Crisis; and COMPAS Qualité.

[28] The case study approach has specific advantages that make it more amenable to theory building, including its depth of analysis and descriptive richness (Gerring 2004: 347-8; George and Bennett 2005: 19-22). A disadvantage is that case units are assumed to be relatively bounded, which is not necessarily always true for humanitarian self-regulation. To overcome this, I attempt to draw explicit links, especially in personnel and patterns of influence, among my case selections.

directed at fleshing out the circumstances under which codes were developed. In so doing, I call specific attention to linguistic and conceptual argumentation on the part of humanitarians involved in self-regulation.[29] Regulators' self-understandings are extremely important for ascribing motives to behavior.

Second, I attempt in my case selection to account for the wide range of self-regulatory initiatives. Scholars distinguish among three categories of initiatives: aspirational codes of principles; codes of conduct with defined technical standards; and certification schemes with third party verification (Lloyd and de las Casas 2006; Davis 2007). Of these, aspirational codes are most common (Bendell 2006: 58; HAP 2011e: 25). I have accounted for all three categories in my research. The *Code of Conduct* is an example of an aspirational code of principles; *Sphere* is a code with defined technical standards; and *HAP International* is a certification scheme with third party verification. The *Code of Conduct on Images and Messages* is a hybrid; at the European level, it most resembles an aspirational code of principles; in Ireland, where I focus my research, it has evolved towards more robust forms of monitoring and verification.

Why do the founders of initiatives opt for particular institutional arrangements? By looking at the range of regulation, it is possible to more generally theorize the origins of codification, and specifically to assess whether different types of institutional forms derive from different motivations on the parts of the "coders." For scholars of "club theory," institution design derives from two factors: external pressure from principals (especially donors) and strategic action by agents (aid agencies). Where external

[29] Similarly, research on norms has focused on the linguistic "trail," the justifications for actions given in the form of linguistic, conceptual argumentation (Finnemore 1996: 892; Kratochwil 1984: 707).

pressure is strong, we would expect self-regulation to more closely mirror the concerns of powerful principals (e.g. donors). Institutional design, given concern over market failures, is a strategic attempt to attract organizations through branding benefits. As depicted in Table 1, club theory would lead us to expect the strongest branding benefits to come from HAP International, which most closely resembles a strong accountability club for its specific dictates and rigorous enforcement regime, and the weakest from the Code of Conduct. HAP and Sphere, both strongly influenced by the fallout from Rwanda, would be expected to most closely mirror donor preferences.

Table 1

		External pressure	
		Weak	*Strong*
Enforcement	*Weak*	Code of Conduct	Sphere Project
	Strong	Code on Images	HAP International

Like club theorists, I acknowledge the role of external factors, but I find that self-regulation cannot be traced solely, or even primarily, to these factors. Such criticisms as are leveled are more general than specific, and external pressure is not sufficient to explain the diversity of initiatives. In fact, even HAP International and Sphere, both of which emerged in the aftermath of the genocide in Rwanda, derive largely from internal, especially principled, motivations, and both are primarily directed at practitioner, not donor, audiences. External pressure matters to the extent that it facilitates action, especially by opening space for change and providing discursive resources for code proponents, but code design in general cannot be explained by donor or principal preferences, even where pressure has been intense.

Institutional strength is also not strongly related to branding. On the contrary, I find that institutional arrangements and sanctioning capacities relate more to beliefs on the part of ideational entrepreneurs about how best to promote normative change in light of their personal experiences and preexisting codes. In the first instance, code designers are bound by the realm of the conceivable; later initiatives have been built on the foundations left by their predecessors, and the successes and failures of the preceding initiatives are reflected in institutional design. Consequently, there has been a historical trend from weak and vague codes to stronger and more specific codes. Second, the identities of the ideational entrepreneurs themselves is important in determining each initiative's final shape and focus. In each case, I find that experiences on the ground and in the sector have helped mold the attitudes of the founding figures regarding how best to pursue social change, such as through consensus or sanctions.

A final implication of looking in comparative fashion at a range of initiatives is that it allows for a preliminary assessment of impact. I do so with a major caveat. Humanitarians have long asserted that emergency relief is massively difficult, even impossible, to measure (Watson 2008 ; Webster et al. 2009: 10; GHA 2009: 21; Borel et al. 2004: 85). Interventions are multivariate, involving hundreds of actors with divergent responsibilities in highly irregular situations. In each chapter, I observe that measures, such as are available, often fail to provide systematic evidence that self-regulation has substantial impact on practice, though qualitatively, practitioners believe that the impact is profound.[30] It is significant that many in the sector advocate so strongly for self-

[30] ALNAP's Knox-Clarke and Mitchell write: "There was little or no evidence to support the argument that better accountability would lead to more effective, secure programming at the time, but good sense told us

regulation in the absence of systematic evidence. As much as anything, this speaks to the ideational function played by codes.

Chapter outline

The dissertation is organized as follows: In Chapter 2, I flesh out the concept of the organizational field and connect it to self-regulation. I look to new institutionalism for guidance mapping out the humanitarian field – its key components and governing mechanisms – but find that new institutionalism alone is insufficiently flexible to account for self-regulation. I suggest that, by returning to Bourdieu's original formulation of the field, and thus emphasizing contestation and flux, it is possible to sidestep new institutionalism's tendency towards isomorphism and continuity. The key to understanding self-regulation, and, indeed, the reason it is so frequently contested, is that it acts on the level of the humanitarian field itself. Codes of conduct establish principles for action, norms of behavior, and definitions of the domain of endeavor.

Chapters 3, 4, 5, and 6 consist of case studies that analyze the origins of key self-regulatory initiatives. The RC/NGO Code of Conduct, I explain in Chapter 3, originates out of ideational entrepreneurship on the part of a small group of humanitarian veterans. Frustrated by practices that diverged from their understanding of proper practice, these individuals sought to codify humanitarianism's core principles. The Code, though vague and unenforced, set the precedent for the Sphere Project, subject of Chapter 4. Sphere, too, emerges from within the sector, but its development was also deeply marked by the humanitarian response to Rwanda and the increased international pressures on

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it surely must be true" (Knox-Clarke and Mitchell 2011: 3).

humanitarians to reform their practices. Through an analysis of the fierce debate between Sphere's supporters and its largely French opponents, I argue that Sphere's seemingly impartial technical standards were so controversial because they functioned to advance a specific vision of humanitarianism rooted in international law, human rights, and principles of "do no harm."

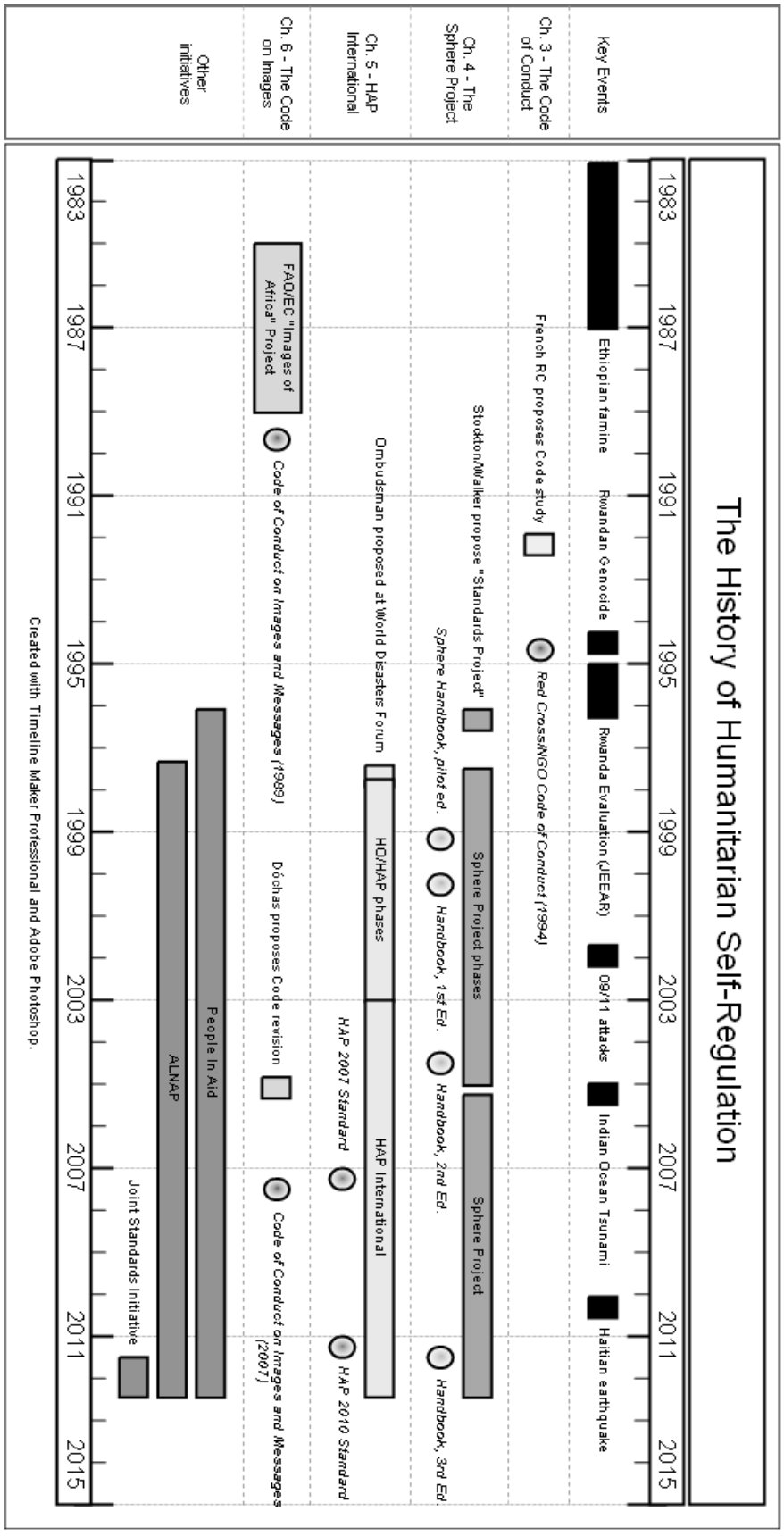
Sphere was not the only initiative to emerge out of Rwanda. In Chapter 5, I investigate the Humanitarian Accountability Partnership (HAP) International. HAP most closely resembles a strong accountability club, but I find branding and impact to be of secondary concern compared to principled arguments about power and responsibility. I also discover that the focus on accountability is not simply the result of donor pressure; HAP's specific brand of accountability (beneficiary accountability) functions to empower the recipients of assistance while simultaneously pushing back against donor-centric, "upward" models of accountability.

The final case study is peripheral to the others. Whereas direct links connect the Code of Conduct, Sphere, and HAP – there are shared personnel, motivating ideas, and member organizations – the Code of Conduct on Images and Messages (Chapter 6) is largely outside of these main regulatory trends. However, I find that the Code on Images shares a number of features with these other initiatives: it, too, is the result of normative entrepreneurs responding to a perceived crisis of legitimacy. In this case, the Code was promoted by a group of Irish NGO staff seeking to check the pervasive use of shocking images and messages to sell humanitarianism and development projects. I portray this as an effort by development educators to provoke a conversation with fundraisers and

bureaucrats about humanitarian principles. In the process, it is also a means for Dóchas (Ireland's NGO platform) to insert itself into European discussions on quality and accountability and to demonstrate leadership in the field.

In my conclusions, I return to questions of competition, constitution, and connection; survey the trends that emerged in the research; and assess recent developments, including the Joint Standards Initiative (JSI). I also suggest future lines of research, including the need for comparative studies of the sources of self-regulation in corporate and non-profit contexts.

Figure 1


The History of Humanitarian Self-Regulation
1983
1987
1991
1995
1999
2003
2007
2011
2015
Key Events
Ethiopian famine
Rwandan Genocide
Rwanda Evaluation (JEEAR)
09/11 attacks
Indian Ocean Tsunami
Haitian earthquake
Ch. 3 - The Code of Conduct
French RC proposes Code study
Red Cross/NGO Code of Conduct (1994)
Ch. 4 - The Sphere Project
Stockton/Walker propose "Standards Project"
Sphere Project phases
Sphere Project
Sphere Handbook, pilot ed.
Handbook, 1st Ed.
Handbook, 2nd Ed.
Handbook, 3rd Ed.
Ch. 5 - HAP International
Ombudsman proposed at World Disasters Forum
HQ/HAP phases
HAP International
HAP 2007 Standard
HAP 2010 Standard
Ch. 6 - The Code on Images
FAO/EC "Images of Africa" Project
Code of Conduct on Images and Messages (1989)
Dóchas proposes Code revision
Code of Conduct on Images and Messages (2007)
Other initiatives
People In Aid
ALNAP
Joint Standards Initiative
Created with Timeline Maker Professional and Adobe Photoshop.

Ch. 2 - Surveying the Humanitarian Field

In this chapter, I develop a framework for understanding nonprofit, specifically humanitarian, self-governance. I do this by conceptualizing humanitarianism as an organizational field, a concept I derive from a joint reading of the sociological theories of Bourdieu and new institutionalism. *Organizational fields*, or local social orders constituted by organizations, foreground the societal contexts in which actors are embedded and the webs of meaning and intelligibility that govern their actions. In analyzing humanitarianism as a field, I focus on the shifting nature of inter-organizational relations, thereby contextualizing my specific object of inquiry – NGO self-regulation – in a contemporary moment marked by trends of professionalization and bureaucratization.

This chapter unfolds in four sections. Section I provides an overview of the provision of humanitarian relief, highlighted by advances in communication technologies, evolving organizational structures, and strengthened networked connections. Collectively, these shifts herald changes in the architecture of humanitarianism and necessitate new ways of conceptualizing NGO practices. I turn to Sociology's concept of the "organizational field" to capture these shifts. In Section II, I explore two related variants of field theory, putting the new institutionalist work of Paul DiMaggio and Walter Powell into conversation with Pierre Bourdieu. I seek to marry new institutionalism's analytic precision with Bourdieu's appreciation of competition, contestation, and flux. As I articulate it, the field captures changes in the humanitarian terrain (specifically professionalization and institutionalization) and highlights struggles

to define its rules and boundaries.

The remainder of the chapter applies these concepts to humanitarianism. In Section III, I sketch the outlines of the contemporary humanitarian field, paying special attention to patterns of structuration and professionalization, two characteristics highlighted by new institutionalists that differentiate contemporary humanitarianism from its predecessors. Finally, Section IV connects self-regulation to the field through a discussion of mechanisms for change, specifically by presenting struggles over self-regulation as struggles over the nature of humanitarianism itself.

Section I – Broad changes in humanitarianism

In a recent study of humanitarian professionalization, Peter Walker and Catherine Russ observe that:

> Until recently the ability of humanitarian workers to organise and communicate as a global community was severely limited. Humanitarians came together for limited periods of time at various crisis spots of the world and then dispersed, returning home or moving onto [*sic*] the next crisis. It is really only in the last decade, with the advent of web-based tools, that it has been possible to talk in any meaningful way about a global humanitarian community (Walker and Russ 2010: 14).

As Walker and Russ aptly observe, humanitarianism has evolved considerably in recent decades. Technology has transformed how organizations mobilize, agencies have bureaucratized, the sector has institutionalized, and the bonds connecting humanitarian organizations have, in many cases, been strengthened (Borton 2009 ; Donini 2007 ; Barnett 2005b). These trends have a significant bearing on how we apprehend humanitarian self-governance.

To fully appreciate the evolution of the humanitarian system, we must begin with an understanding of its earlier characteristics. Simply stated, until fairly recently, humanitarianism remained a relatively limited domain of activity. As former President of Médecins Sans Frontières (MSF) Rony Brauman has noted, the noun "humanitarian" was almost unheard of before the 1980s (Brauman 2006: 105). For decades, the Red Cross was by far the predominant actor in crisis situations, joined, at times, by religious charities such as Caritas Internationalis. As for NGOs, by measure of size, reach, or complexity, they little resembled their modern day variants. For instance, World Vision, today one of the largest and most technically proficient humanitarian agencies, active in over 90 countries, remained a largely "non-operational" charity with a loose organizational structure until a set of organizational changes in the 1970s (Whaites 1999: 419). Other important agencies, including MSF, were not even founded until the 1970s.[31]

MSF provides an interesting case in point. Founded in 1971 in a union of [largely] left-wing doctors and journalists, it is today one of the largest humanitarian NGOs in the world, with a combined humanitarian expenditure of US$495 million in 2006 (Development Initiatives 2009: 1-2). MSF also features prominently in the history of efforts to regulate the field. However, in the 1970s, MSF, like the field as a whole, remained small in scale and amateur in operations. Though today MSF is one of thousands of aid agencies worldwide, in its first decade, the sector was still so diffuse that MSF was largely alone in its domain in France.[32] MSF 'biographer' Anne Vallaeys

[31] Of the major players today, Oxfam, Save the Children, and the International Rescue Committee predate World War II; Catholic Relief Services (CRS), CARE, and World Vision International (WVI) were founded during or just after; and MSF and Mercy Corps were formed in the 1970s.
[32] Only after 1979 was MSF joined by organizations like Médecins Du Monde, Aide Médicale

writes that the agency's initial appeals for public support were "unfocused," but possessed "a certain emotion"; MSF was an "empty envelope," an idea to be built on (Vallaeys 2004: 106, 130-3). Indeed, in its early years, MSF lacked the wherewithal to launch even the most rudimentary interventions; such missions as it did launch were amateuristic and incoherent.[33] Vallaeys characterizes MSF's first mission, to Nicaragua in 1972, as a "flop"; they did not arrive for 72 hours after the earthquake and the Red Cross was so incensed that MSF had not coordinated its operations that, for a time, it swore off future cooperation (Vallaeys 2004: 136-41). Again in Cambodia in 1977 and in Thailand in 1978 personnel were sent without support, communication, or supplies.

MSF soon realized that the agency could not function without an organizational structure and operational independence; "symbolic missions" went only so far (Vallaeys 2004: 245-8; Ninin and Deldique 1991: 237-8).[34] MSF, like other agencies, faced a choice as it developed: it could stay small and unencumbered, or it could grow and professionalize (Ninin and Deldique 1991: 133-4). The process of developing internal codes and structures was slow and fraught. But, Vallaeys remarks, "times had changed." By the 1980s, "humanitarian action had become a system endowed with cogs, rules, actors, professionals who, under the cover of a pseudo-humanism, generate a new economic activity, equipped with budgets, media plans, and employees. Furthermore, prone to discharge the social onto the private, the States opened extraordinary markets in

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Internationale, and Action Internationale Contre la Faim (Ninin and Deldique 1991).

[33] MSF served as a placement agency for charitable organizations with the resources to launch interventions, including the ICRC, Croix de Malte, and Frères des Hommes (Vallaeys 2004: 127-8).

[34] For the perspective of former MSF president Rony Brauman, see (Brauman 2002: 35-6; 2006: 69-70).

the service sector" (Vallaeys 2004: 732).[35] By the 1980s, MSF had hired its first full-time staff, created a team of marketing professionals, and was engaged in new and different types of missions. Today, MSF is an international federation with 5 operational centers, 19 national offices, and half a billion dollars of yearly revenues.

The case of MSF is hardly unique. World Vision International, founded in 1950, also underwent a "dramatic 15-year period of transformation" by the end of the 1980s, evolving from an agency dominated by the charismatic leadership of its founder into an NGO with international reach (Whaites 1999: 419). Today, WVI is one of the most important humanitarian actors with revenues of $712 million in 2001 and a central position in key institutions, including the Steering Committee for Humanitarian Response (SCHR), the Inter-Agency Working Group (IWG), and the International Council of Voluntary Agencies (ICVA). In the sector as a whole, while good deeds and conviction provided humanitarianism with its initial moral authority, organization and structure progressively followed. Table 2 provides a simplified overview of the major changes; Section III expands on these points.

Table 2

Development of the Humanitarian Field

	Pre-1980s	**Post-1980s**
Number of actors[36]	Limited (40 NGOs in Ethiopia, 1985)	Expanded (1000 NGOs in Haiti, 2010)
Organizational logic	Flexible, loosely structured	Hierarchical, rationalized
Work culture	Amateur/ volunteerism	Professional/ vocational
Interagency cooperation	Ad hoc	Institutionalized (e.g. Clusters, SCHR, VOICE, InterAction)
Shared Knowledge	Limited	Increasing (e.g. ALNAP, ODI, Development Initiatives)
Regulation of sector	Limited	Increasing (e.g. donors,

[35] All translations my own.
[36] Data from (Rambaud 2005) and (Bhattacharjee and Lossio 2011).

		Sphere, PIA, HAP)
Official humanitarian asst.[37]	$2 billion (1990)	$12.4 billion (2010)

In short, self-regulation occurs against a backdrop of tremendous changes in the funding, provision, and organization of humanitarian action. Today, roughly 2600 aid and development agencies operate across the globe and continue to increase in number and size (Barnett and Weiss 2008 ; Borel et al. 2004). Humanitarian activities are funded to the tune of $18 billion a year, 60% of which is disbursed by NGOs (ALNAP 2010 ; Stoddard 2002 ; Walker and Pepper 2007). Without a doubt, humanitarian organizations are no longer, to paraphrase MSF's Xavier Emmanuelli, the "cowboys" or "boy scouts" of emergency medicine (Emmanuelli 1991: 165).

Section II – The Organizational field

As the preceding section illustrates, contemporary humanitarianism has demonstrated marked tendencies towards increased professionalization, organization, and expansion. As I find in subsequent chapters, each of these trends manifests itself in the drive for codification and standardization. What is particularly noteworthy is how these trends express themselves as much at the system level as they do at the level of individual organizations. That is to say, the specific example of MSF bureaucratizing is also experienced at the sectoral level as bureaucratization, institutionalization, and rule-formation (including self-regulation) has swept across humanitarianism. This is why I have argued, in Chapter 1, that organizational behavior is too complex to be understood simply or exclusively as the outcome of individual agencies pursuing their egoistic

[37] Data from (Macrae 2002) and (Development Initiatives 2011).

preferences. The concept of the *organizational field*, which I derive from Sociology, calls attention to the relationship between humanitarian actors and the social structures within which they are embedded.[38]

Sociology's influence on International Relations has been profound, particularly on constructivist approaches to the study of organizations. Research on legitimacy, norms, institutions, and socialization is, more often than not, deeply indebted to Sociology (Finnemore 1996 ; Guzzini 2000). As a sociological approach, field theory calls attention to the social structures within which agents are embedded, arguing that without an analysis of these structures, we are denied a full understanding of the agents themselves. This puts it immediately at odds with economistic or rational choice approaches, as I have noted in Chapter 1; indeed, Bourdieu and new institutionalist scholars alike suggest, contra 'homo economicus,' that individual choice and preferences are not autonomous but embedded in cultural and historical frameworks, and institutions shape preferences themselves.[39]

At a basic level, fields are "local social orders" in which organized groups of actors gather and frame their actions vis-à-vis one another (Fligstein 2001: 108).[40] As a

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[38] Humanitarian practitioners will note that the 'field' can also refer to operations on the ground. However, the usage of 'field' to refer to a domain of activity is not entirely unprecedented, even in the humanitarian literature. For instance, Walker and Russ refer to "practitioners working in the field of humanitarian affairs" (Walker and Russ 2010: 45). Suffice to say, when the term field is used in this study, it refers to the "organizational field," not to activities taking place exclusively on the ground.

[39] For Bourdieu, rational choice is "thoroughly oblivious to the social genesis of historically varying forms of interests;" "this narrow, economistic conception of the 'rationality' of practices ignores the individual and collective *history* of agents through which the structures of preference that inhabit them are constituted in a complex temporal dialectic with the objective structures that produced them and which they tend to reproduce" (Bourdieu and Wacquant 1992: 123-5; also Powell and DiMaggio 1991). Though Bourdieu uses the language of 'interest,' it is interest defined by historically delimited fields.

[40] Within Sociology, there are several research tracks, some of which differ dramatically in focus and research program. Similar terms include organizational fields, interorganizational fields, fields, and societal sectors (Scott 1991 ; Fligstein 2001).

tool of analysis, the field highlights the social links – shared knowledge, norms, rules – among actors in a given area. I focus on two variants of the concept: on the new institutionalism[41] of Walter Powell and Paul DiMaggio, which explicitly addresses fields constituted by organizations, and on the work of Pierre Bourdieu, which is most clear about the mechanisms by which fields are maintained and transformed. While emphasizing points of commonality, in areas of disagreement, my approach is Bourdieuian. These approaches *do*, in fact, differ in several respects, notably in their objects of study (organizations vs. embedded individuals), focus (isomorphism vs. contestation), and terminology (legitimacy vs. capital); however, there are also significant areas of overlap. My goal in this section is to explore the "natural affinity," as Powell and DiMaggio put it, between Bourdieu and new institutionalism (Powell and DiMaggio 1991: 38, fn. 28; also Fligstein 2001: 108). I find that a joint reading yields a powerful account of field design. Specifically, while DiMaggio and Powell's analytic rigor offers clear guidance in identifying organizational fields, Bourdieu's attention to contestation corrects for new institutionalism's tendency towards structural explanations.

I define an *organizational field* as a local social order composed of organizations and characterized by rules, values, and knowledge specific to it. I take as a starting point DiMaggio and Powell's keen observation that fields can be composed of organizations – not just of individuals – and identification of field-specific knowledge and norms (DiMaggio and Powell 1983 ; also Koelble 1995). As DiMaggio puts it, field boundaries "affect how organizations select models for emulation, where they focus information-

[41] Also called "sociological institutionalism" to differentiate it from rational choice and historical variants (Koelble 1995).

gathering energy, which organizations they compare themselves with, and where they recruit personnel" (DiMaggio 1991: 267). Organizations in a field are led to adopt normatively sanctioned practices and respond to the actions of other organizations.

With Bourdieu, I share an understanding of the centrality of power and positions to field maintenance and transformation. Contra DiMaggio and Powell's functionalism,[42] I view the domain itself as a central stake in the game. In other words, we cannot simply look at an area of endeavor – such as humanitarianism – and expect to find a field. Rather, we must view the domain of endeavor as itself the outcome of the field. For Bourdieu, fields are sets of objective, historical relations between positions (posts) anchored in certain forms of power (Bourdieu and Wacquant 1992: 16; Bourdieu 1993: 72). As phrased by Yves Dezalay and Bryant Garth, a *field* is thus a "symbolic terrain with its own networks, hierarchical relationships, and expertise, and more generally its own rules of the game, all of which are subject to modification over time and in relation to other fields" (Dezalay and Garth 1996: 16).[43] Each field, be it humanitarianism, international commercial arbitration (Dezalay and Garth 1996), or U.S. art museums (DiMaggio 1991), is defined by rules and stakes and interests specific to the field. Fields are relational configurations – like a magnetic field – in the sense that they impose a specific gravity on objects and agents (Bourdieu and Wacquant 1992: 17).

One can compare a field to a game in that struggles are central to its workings;

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[42] This is a point of distinction between the Bourdieuian approach and new institutionalism; the latter is more explicitly functional, defining boundaries by identifying a group of organizations producing similar products or services (Scott 1991: 173). For Bourdieu, the boundaries cannot be identified outside of analysis as they are themselves the product of contestation.

[43] As an example, in several of the case studies, ideas from human rights and public sector fields come to exercise a tremendous influence on the founders of humanitarian self-regulatory initiatives.

competition does not entail dissolution of the game. Participants vie to establish the monopoly over the species of capital effective in the field and the power to decree the hierarchy and conversion rates between forms of capital – in short, there is a struggle over the authority to define which material and symbolic goods are worth being sought after (Bourdieu and Wacquant 1992: 17, 98; Bourdieu 1993: 32-5; 1998: 34). It is through these struggles that the game is reproduced. In Dezalay and Garth's *Dealing in Virtue*, for example, contestations in the field of international commercial arbitration hinge on the relative weights of different forms of symbolic capital – the prestige and charisma of the 'grand old men' versus the professionalism and technical proficiency of the younger generation. Ultimately, "conflicts over *what* and *who* represent 'international commercial arbitration' comprise a key part of the inquiry" (Dezalay and Garth 1996: 1). In Section IV, I argue that humanitarian contestations over self-regulation are proxy battles over accepted authority in the humanitarian field. The shape and divisions of the field are thus at stake in the game.

Whereas contestation is central to the work of Bourdieu and his adherents, and, indeed, to my research, it is largely absent from the work of new institutionalists. For new institutionalists, the focus is instead on stability and recurrence, what Powell and DiMaggio call the "constant and repetitive quality of much of organizational life" (Powell and DiMaggio 1991: 9; Meyer and Rowan 1991). This is exemplified by the concept of *isomorphism*, which is the idea that one unit in a population will resemble other units that face similar environmental conditions. Rather than viewing this as an *essential* difference between new institutionalism and Bourdieu, I would characterize it as

a difference in focus. After all, Bourdieu himself captures recurrence and repetition through the idea of *habitus* – dispositions attuned to the field –, expressed as a 'feel for the game' (Bourdieu 1993: 18). Habitus accounts for regulated and regular behavior outside of explicit rule-following; it is structure, internalized in bodies.[44] Isomorphism might even be seen as a *possible* end result of the workings of habitus. We should also note that a theory of contestation is not inconsistent with new institutionalism. Powell and DiMaggio themselves acknowledge that rules are typically constructed by a process of conflict and contestation (Powell and DiMaggio 1991: 28; DiMaggio 1991: 268). Prior to isomorphism, then, power and interests shape organizational fields.

Differences in focus and terminology aside, Bourdieu and new institutionalism accord on many of the key questions. Both approaches disavow agent-centered analysis, instead viewing agent and structure as co-constitutive. Individual attributes such as interest and identity are, in many ways, produced by the field, but, especially for Bourdieu, agents are not mere products of structure. For both, the state plays an important role in defining fields, whether as a sort of 'meta-field' in Bourdieuian thought

[44] Habitus refers to dispositions or tastes associated with a position in the field (Bourdieu 1998: 7-8). Like its root, "habit," and cognate, "habitual," the concept accounts for regularity. More specifically, it signifies "systems of durable, transposable dispositions… [that function] as principles which generate and organize practices and representations that can be objectively adapted to their outcomes without presupposing a conscious aiming at ends or an express mastery of the operations necessary in order to attain them" (Bourdieu 1990: 53). Habitus is that which generates "reasonable" or "common sense" behaviors, which are internalized as second nature. The relationship between habitus and field is one of mutual constitution: the field structures, or conditions, habitus; habitus, in turn, constitutes the field as knowable. The intersection of the two is what Bourdieu calls a 'feel for the game' (Bourdieu and Wacquant 1992: 127, 16; Bourdieu 1990: 66). While my analysis of humanitarianism is more directly focused on the field, habitus certainly occupies an important background position. For instance, the extent to which rules or principles come to serve as taken-for-granteds, to become the accepted rules of the game, is an important marker of a successful code. Thus, a humanitarian respondent whose first response to a refugee crisis is to consult page 239 of the Sphere Standards (Minimum Standards in Shelter, Settlement and Non-Food Items) demonstrates the functioning of habitus. More generally, habitus functions when a humanitarian self-identifies as a professional and commits to upholding a set of personal and occupational standards.

or as a source of isomorphism in new institutionalism.[45] And, finally and crucially, symbolic resources play a pivotal role in the functioning of fields, whether depicted as symbolic capital (Bourdieu) or as legitimacy (new institutionalism).

Indeed, one of the field's key strengths lies in its depiction of the centrality of ideational factors in organization and constitution. Though Bourdieu writes of *symbolic capital* and new institutionalists prefer *legitimacy*,[46] the general thrust is similar: in both cases, group recognition is central to the maintenance of authority. Recall that in Chapter 1, I defined legitimacy, following Suchman, as "a generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs and definitions" (Suchman 1995: 574). For new institutionalists, legitimacy pertains to "societal evaluations of organizational goals" and organizations adopt externally legitimated elements to maximize changes of survival (Scott 1991: 169; also Meyer and Rowan 1991 ; DiMaggio and Powell 1983). This is not unlike Bourdieu's concept of symbolic capital, what he calls "recognized power," wherein "the weight of different agents depends on their symbolic capital, i.e. on the *recognition*, institutionalized or not, that they receive from a group" (Bourdieu, qtd. in Dezalay and Garth 1996: 18). Just as new institutionalists point to elements such as registration and certification (Singh et al. 1991: 398), Bourdieu identifies educational

[45] The state functions as a sort of meta-field in its structuring role. The state is simultaneously composed of an ensemble of fields (bureaucratic and administrative) and constitutive of them – Bourdieu calls the state the "great fount" of symbolic power, and it is in a position to regulate the functioning of other fields, such as through finances and regulation (Bourdieu and Wacquant 1992: 111; Bourdieu 1998: 33). For new institutionalism, the state provides an impetus for bureaucratization, especially through coercive isomorphism – imposition of regulations (DiMaggio and Powell 1983 ; Powell 1991).

[46] It is worth noting that legitimacy – specifically, the legitimacy of law – plays an important part in Dezalay and Garth's Bourdieuian analysis of international commercial arbitration (Dezalay and Garth 1996).

degrees, tests, connections, and expertise (Bourdieu 1998: 22). Different kinds of symbolic capital gain or lose value over time, and change in the field comes through contests about the value of various forms of symbolic capital (Dezalay and Garth 1996). As I argue in Section IV, self-regulatory initiatives are a major vehicle whereby moral entrepreneurs attempt to set the value of forms of symbolic capital.

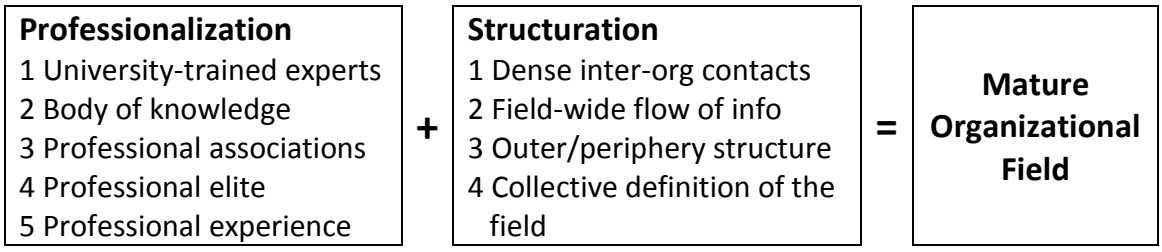
As Sections III and IV demonstrate, the organizational field is a useful concept for structuring our analysis of humanitarianism because it foregrounds several of the major trends and transformations in the sector. In Section III, I use Powell and DiMaggio to highlight the elaboration of the field through processes of professionalization and structuration. As I noted in Section I, in the last 30 years, humanitarianism is increasingly professionalized and organized. Indeed, one of the strengths of the new institutionalist reading of the field is its capturing of the centrality of professionalization. Whereas traditional IR perspectives pay little attention to professionalization, in humanitarianism, the notion of "professional" behavior and identity has become a buzzword for the maturation of the sector. In Section IV, I draw on Bourdieu to highlight ideational competition over truths, discourses, and boundaries as a mechanism for field transformation.[47] The stakes in humanitarian self-regulation are high indeed – the struggle is over humanitarianism itself. Compliance or non-compliance matters less when we look at the symbolic function played by self-regulatory initiatives.[48]

Section III – Surveying the humanitarian field

[47] Fields define what is sayable and not sayable, nameable and not nameable (Bourdieu 1993: 91).
[48] As Meyer and Rowan argue, organizations engage in decoupling – they seek to maintain external legitimacy while simultaneously avoiding inspection and evaluation through ambiguous goals and immeasurable criteria (Meyer and Rowan 1991).

It is one thing to define a field in the abstract; it is quite another to identify one in practice.[49] In this section, I look to Powell and DiMaggio (1983) to identify the salient features of the contemporary humanitarian field. Specifically, I rely on DiMaggio's (1991) analysis of the field of U.S. art museums, in which he identifies a set of 9 dynamics of *professionalization* and *structuration* (institutional definition). While I would not wish to suggest that these are the exclusive metrics by which an organizational field can be identified, I find them singularly useful in highlighting the growing complexity of the humanitarian endeavor. In analyzing the field in this manner, I call attention to the dramatic increase in the number and density of inter-organizational linkages and to the recent moves to professionalize the sector. Linkages matter because they illustrate the growing connectedness among organizations. Professionalization matters because it points to the development of standards of appropriate behavior and the development of specialized humanitarian knowledge. These trends serve as the backdrop before which self-regulatory dramas are acted out.

Figure 2



DiMaggio identifies the *production of university-trained experts* as the first dimension of professionalization (DiMaggio 1991: 275). Without a doubt, this has

[49] Bourdieu defines the field as a space within which its effects are exercised (Bourdieu and Wacquant 1992: 100-4).

become a boom area in humanitarianism. There are now at least 80 different master's level programs worldwide in humanitarian and development studies and an even larger number of professional training programs[50] (Walker and Russ 2010). Important centers of learning include the Feinstein International Center at Tufts University (FIC), the Humanitarian and Conflict Response Institute at the University of Manchester, the Humanitarian Futures Programme at King's College, and the Network on Humanitarian Action, which comprises nine European Universities that deliver the Postgraduate Programme in Humanitarian Action. Outside of these centers, many universities offer courses in humanitarianism, development, and related fields like health sciences, epidemiology, and public policy. For instance, the University of Minnesota consistently offers humanitarianism and development-related courses in the departments of Political Science, Public Affairs, and Epidemiology.[51] University training fulfills two functions: first, it forms a highly trained humanitarian professional core; second, it helps promulgate field knowledge, humanitarian norms, and standard practices.

A second aspect of professionalization is the *creation of a body of knowledge*. In DiMaggio's work, this includes the commissioning of surveys, creation of databases, and publication of studies on efficacy (1991: 276). We find humanitarians taking similar steps to build field-specific knowledge through surveys and research publications. For instance, Walker and Russ' recent (2010) study of professionalization surveyed more than 1300 humanitarian workers; Dorothea Hilhorst's 10 year anniversary survey of the

[50] Walker and Russ include an annex of more than 9 pages of training programs.
[51] For instance, "Global Health, Relief, Development, and Religious and Non-Religious NGOs" (PubH 6807) was offered in the Public Health Department, Spring 2012; "Humanitarianism" (PA 5821) was offered at the Humphrey School of Public Affairs, Fall 2011.

Code of Conduct was also wide-ranging (Hilhorst 2005). Other studies have examined funding trends, efficacy, and best practices (e.g. Development Initiatives 2009 ; GHA 2009). The proliferation of studies is the logical result of an increase in think tanks and learning initiatives, such as Development Initiatives (London), the Feinstein International Center (Medford, MA), the Humanitarian Policy Group at the Overseas Development Institute (ODI, London) and the ODI-affiliated Global Humanitarian Assistance programme (GHA), and the Emergency Capacity Building project (ECB). Additional research comes from increasing collaborative links between academics and practitioners.[52] Many of these studies explicitly aim to guide future growth and development. For instance, the recent study "One for All" hopes to "clarify and support organizational change within the humanitarian sector so that organizations can increase effectiveness and efficiency, ultimately improving the lives of their beneficiaries while balancing local needs and global realities" (Webster and Walker 2009: 5)[53] These studies help create the field of humanitarianism by developing knowledge specific to it.

The humanitarian field lags in the third indicator of professionalization: the *organization of professional associations* (Walker and Russ 2010). There is, as yet, no single field-wide organization that encompasses all humanitarian actors, though there *are* associations with significant coverage, including the Humanitarian Logistics Association (founded in 2005), a Humanitarian Professionals group on LinkedIn, the Association of Humanitarian Lawyers (1982/ 1990), and the International Humanitarian Studies Association (2009). In addition, self-regulatory initiatives like People In Aid promote

[52] One study, "Humanitarian Horizons," found that humanitarian-academic partnerships have become increasingly common and suggested that there was room for more growth (Walker 2010: 39).
[53] What is particularly interesting is the use of examples of best practices to stimulate emulation.

good practice in the management and support of aid personnel, and various national and international organizations and initiatives count professional development among their mandates, such as InterAction (USA), Dóchas (Ireland), and Kehys (Finland), and Concord (Europe). Recent studies on professionalization in the sector have found that humanitarian workers self-identify as humanitarian professionals and would welcome the formation of a professional organization (Kene et al. 2009 ; Walker and Russ 2010). Professional organizations are important as focal points and arenas of socialization.

A fourth aspect of professionalization is the *consolidation of a professional elite* (1991: 276).[54] In humanitarianism, this is reflected in the creation of specialized university programs, field-wide training sessions (such as the trainings offered by Sphere and HAP International), and in job requirements (the typical job now requires a university degree and appropriate training and experience). Among humanitarian veterans, there is something of a rotating door among organizations. For example, Peter Walker, a key figure for both the NGO Code of Conduct and Sphere, worked for Oxfam, African environmental organizations, and the International Federation of the Red Cross and Red Crescent Societies (IFRC) before directing the influential Feinstein International Center. Among the key regulatory initiatives, as a veteran of the American sector noted, "it's basically the same 50 people involved in all of them" (Int. 53). These are the individuals with the connections, experience, and knowledge to navigate the field.

Finally, professionalization is seen in the *increasing organizational salience of professional experience*. Antonio Donini has remarked that:

[54] Similarly, Dezalay and Garth discuss "great men" in their case study; these are individuals who are distinguished by their cosmopolitanism, their expertise, their pedigree, and their proximity to the field center (1996: 21).

> Humanitarian work used to have a connotation of "voluntariness" – indeed this remains a key Red Cross Principle – it has now become a career. It is defined by management objectives, standard operating procedures, human resource development tools – necessary as they are in any "business" – that create structures and organizational patterns that tend to stifle innovation and the questioning of the status quo (Donini 2007: 3).

Today, the humanitarian field is increasingly – if not completely – the domain of professional aid workers. Walker and Russ are quick to point out that despite the proliferation of courses and degrees in humanitarianism, consistent humanitarian occupational standards do not exist, training is ad hoc, and there are gaps in curricula and few internships (2010: 1). But, as this overview indicates, times are changing. When asked what attributes are most important, "organizations named a range of hard and soft skills that are critical among staff, including management and communication skills and specific sector skills such as water and sanitation" (Webster and Walker 2009: 25). In interviews, excerpts of which I cite in later chapters, aid workers consistently praised professionalization, training, and expertise.

In addition to professionalization, which hints at the ideational makeup of the field – knowledge, norms, training – new institutionalism also identifies as significant the institutional makeup of organizational fields (called *structuration*, from Anthony Giddens). Structuration encapsulates the net or frame of relations within which organizations are embedded and the arrangement of positions within this frame. For DiMaggio and Powell, organizational fields are, by nature, institutionally defined; and, though fields exist independent of actual institutions, their analysis reveals important things about how the field is structured. Structuration is thus how DiMaggio and Powell

account for the significance of positions in fields – the location of institutional centers of power, the fit of the components, and the pathways along which influence travels. In humanitarianism, structuration directs our attention to the key nodes in the network, the relationships among various players, and the forums in which decisions are made.

Fields are structurally defined, first, by *increases in the density of interorganizational contacts*. In humanitarianism, Abby Stoddard writes, NGOs naturally inhabit relationships of mutual dependence. The scale of modern humanitarian emergencies and the comparatively limited capacities of NGOs demand that they coordinate their activities with each other, with multilateral agencies, with governments, and with the media. In most emergencies, even the largest agency is incapable of launching an effective response individually (Stoddard 2002: 4). This manifests itself in niche specialization. For instance, Lutheran World Federation specializes in camp management; Oxfam International in water and sanitation; World Vision Canada in nutrition; and WV Australia in disaster risk reduction (Webster and Walker 2009).[55] At the sectoral level, there are a plethora of learning initiatives and collaborative mechanisms, including the UN Cluster System, the Steering Committee for Humanitarian Response (SCHR), and the International Council of Voluntary Agencies (ICVA).

Most studies expect collaboration only to increase. A recent report from the Feinstein Center, entitled "Humanitarian Horizons," predicts that "in the next twenty years, the expansion of collaborative networks, both traditional and non-traditional, is likely to become more common, if not essential, to effective humanitarian action. These

[55] There is also specialization within federations. Webster and Walker cite the example of CARE International.

networks will include NGOs, states, corporations, experts, and communities and impact on every facet of humanitarianism, from fundraising to program design (Walker 2010: 37; also Borel et al. 2004).

As networking increases, so too does the *field-wide flow of information*, particularly because it follows along many of the same pathways. I have already cited from the wide range of studies addressing trends in humanitarian organization, future crises, and response practices. The spread of information and techniques has been facilitated by advanced communications technologies. For instance, WVI operates an electronic database in which all documents and strategies are posted during emergencies and CARE conducts monthly global learning exchange programs between members of different agencies via conference call or web presentation (Webster and Walker 2009). In addition, there are a number of journals targeted to the humanitarian academic and practitioner audience, including *Disasters*, the *Journal of Humanitarian Studies*, *Voluntas*, and the online *Humanitarian Exchange* magazine. To one degree or another, these journals are widely read by practitioners.[56]

These linkages matter, not only because they connect individual organizations in webs of intelligibility, but also because they are pathways for the exercise of power and the transmission of ideas. Field scholars, not least Bourdieu, have emphasized that fields are spaces of positions, which means something very simple: not all humanitarian actors are created equal. For DiMaggio, this is expressed in the *emergence of an outer-periphery structure*, which functions much like a gravitational field in attracting other

[56] For extensive data on readership and site hits, see (Walker and Russ 2010: 13).

organizations into orbit around powerful NGOs and funding agencies.[57] The humanitarian field has various centers. In general, we might speak of the dominance of the global North (including donors and agencies). Thus, Donini argues that "the official humanitarian enterprise remains a select club in which the rules are set by a rather peculiar set of players who are generally far-removed from the realities of the people they purport to help" (2007: 2).

Breaking this down further, we can identify a de facto oligopoly of 7-8 major humanitarian organizations that wield disproportionate influence.[58] Indeed, "what is often portrayed as an unseemly NGO "scramble"… may in reality be evolving into somewhat less of a free-for-all... In broader compass, 'although there are hundreds of NGOs, it is safe to say that 75 percent of their humanitarian spending is handled by fewer than fifteen large transnational organizations'"[59] (Borel et al. 2004: 64; Walker and Pepper 2007: 1-5). These organizations include CARE, CRS, Save the Children, WVI, Oxfam, MSF, Mercy Corps, and the International Rescue Committee (IRC). These agencies also dominate the leadership of the main humanitarian networks. Consider the SCHR, a Geneva-based grouping of the chief executives of nine agency/network heads. The SCHR comprises the elite of the elite – each organization listed above is a member, with the exception of MSF (a former member). The SCHR is, in turn, a standing invitee

[57] Dezelay and Garth also emphasize the domination of fields by key institutions and inner circles of "grand old men" and younger parvenus, who together constituted a sort of "mafia" or elite "club" (1996: 9-10).
[58] The FIC's "Humanitarian Agenda 2015" refers to "cozy relationships among a handful of northern donors and a *de facto* oligopoly of organizations" (Donini et al 2008: 30; Borel et al 2004 also use the term "oligopoly"). See also (Stockton 2004: 4).
[59] Similarly, Stoddard reports that in 2000, one-quarter of the $2.5bn of US government funding for relief and development aid went to just four NGOs: CARE, CRS, Save the Children, and World Vision (Stoddard 2002: 26). Together with MSF and Oxfam International, these six major players combined for over $4 billion in overseas operating expenditures in 2008 (ALNAP 2010: 20).

to the Inter-Agency Standing Committee (IASC), which brings together the major UN and non-UN humanitarian bodies. The SCHR and its members thus occupy a position directly at the center of the humanitarian field. It sees itself as a "vehicle for innovation" and "sector leader," according to a HAP Board member (Int. 64).

The SCHR and its members have been deeply involved in self-regulation. As I find in Chapter 4, the SCHR's early, strong support of Sphere helped ensure the Project's success, and its recent exploration of certification has provided HAP a boost. The SCHR's member organizations – and their staff – have played important roles in the drafting of the major self-regulatory initiatives. For instance, current or former Oxfam staff were among the founding figures for each of the four initiatives studied here.

Finally, and perhaps most importantly, structuration leads us to examine the *collective definition of the field*. In DiMaggio's work on museums, this occurred, often incidentally, through grants and studies which reinforced awareness of collective enterprise. In my research, codes of conduct and other self-regulatory initiatives appear as attempts to *fix* the meaning of humanitarianism; to adhere to these standards is to be a legitimate, mature humanitarian subjectivity. For instance, the RC/NGO Code of Conduct had at its heart "an assumption that there is a shared set of core values" (Walker and Russ 2010: 15). Institutional funding requirements further reinforce this by establishing criteria for eligibility. Moreover, publications are increasingly assuming the existence of a "humanitarian community." Thus Walker and Russ write that with the advent of web-based communication tools, it is now possible to talk in meaningful ways about a "global humanitarian community" – "Email, interactive websites, webinars and

social networking tools such as LinkedIn and Facebook have allowed workers, dispersed across the globe, to interact with each other and form the beginnings of a truly global community" (Walker and Russ 2010: 14; also Walker 2006: 1).

Section IV – Competing over self-regulation

The surveying exercise conducted above has served two main functions. First, it has allowed me, contingently, to identify core attributes of the humanitarian organizational field, including the institutional centers of gravity, the key players, and the nature of the flows of ideas and information. Second, the analysis has underscored the recent transformations in humanitarianism – intensifying links among organizations, developing institutional structures, and increasingly shared professional values and practices – that, today, make it possible to talk of humanitarianism as a social order.

In this final section, I push beyond taxonomy. After all, what is most important is not whether or not humanitarianism is a field for the sake of labeling it as such – this is an academic question – but, instead, how understanding humanitarianism as a field captures the ongoing, and contested among its participants, evolution in the form and function of humanitarianism. In focusing on the politics of fields – on the contestations and competitions among humanitarian actors over the content of their endeavor – I am explicitly responding to the criticism of scholars who charge that sociological institutionalism overemphasizes structure and continuity at the expense of agency and contestation (Finnemore 1996). Indeed, one of my principal objectives in putting Bourdieu in conversation with Powell and DiMaggio has been to develop an understanding of organizational fields in general, and humanitarianism in specific, that

captures both the impact of social structures on agent constitution, while still accounting for the mutability of these structures and the very real actions of agents within them to act meaningfully. Agents are not, after all, simply buffeted about within a field; they actively participate in the construction of their endeavor (Bourdieu 1998: 32; Bourdieu and Wacquant 1992: 107-8).

I have suggested that new institutionalism's focus on structure and isomorphism can be attributed to scholarly focus; in other words, there is nothing in the concept of the "organizational field" that prevents us from developing an understanding of agency.[60] At the same time, as Powell and DiMaggio acknowledge, this remains the least developed area of their approach (Powell and DiMaggio 1991: 30-3). The question of when and how isomorphism and repetition give way to innovation – to new ideas and practices – is a critical question. In this section, I explore two conditions for change. Drawing on Pierre Bourdieu, I emphasize contestation among variously positioned actors over the makeup of fields; returning to new institutionalism, I highlight how exogenous shocks, including crises in legitimacy, can open space for change. In humanitarianism, the development of self-regulatory initiatives has been characterized by fierce contestations on basic existential questions – what is humanitarianism, how should it function, what is its future – in the context of criticism of previously dominant organizational models.

Though both new institutionalists and Bourdieu suggest that competition plays a role in shaping fields, only Bourdieu develops this in any meaningful way.[61] For

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[60] And, in fact, there *is* considerable isomorphism in humanitarianism – including practices on the ground, the framing of advertising appeals, and in organizational structures.

[61] New institutionalists suggest several conditions for change: first, in developing fields, there are initially contests to determine the nature of the field; second, agents within fields can employ social skill (framing,

Bourdieu, competition and resistance are central to the creation, maintenance, and transformation of fields, for without resistance, a field becomes an apparatus – a totalizing structure (Bourdieu 1993: 88; Bourdieu and Wacquant 1992: 102, 242-3). This competition is not simply a matter of striving for business by offering better service. Competition also takes place in the symbolic realm and is fought in symbolic terms among moral entrepreneurs. It has the effect of building careers by building the legitimacy and credibility of practices and institutions (Dezalay and Garth 1996: 33). Competition is waged over the relative value of capital – that which confers legitimacy on practices – in each field. In humanitarianism, self-regulation, or self-organized attempts at collective action without direct intervention from the state, becomes a key arena for these field-level contests over rules, boundaries, and symbols. It is through codes of conduct that humanitarian moral entrepreneurs attempt to cement conceptions of what humanitarianism is, who is a part, and how it should be conducted.[62]

Codes are a means of conferring value on certain forms of capital and devaluing others. For instance, the RC/NGO Code of Conduct (Chapter 3) promotes independence and volunteerism as core humanitarian values. The symbolic value of being a nonprofit is thus cemented in a code, and, to the extent that this code is accepted in the field, it becomes a marker of humanitarian identity. Thus, self-regulation is an opportunity for NGOs to set the "admission fee" for entry into the sector – the forms of specific capital

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agenda setting) to induce cooperation in others; and third, exogenous shocks can block the reproduction of institutional patterns (Powell and DiMaggio 1991: 30; Fligstein 2001 ; Scott 1991). To the extent that humanitarianism still *is* a developing field – the absence of field-wide professional associations and nascent academic training programs point in this direction – it is consistent that we should expect competition in humanitarianism. In general, though, new institutionalism says more about stability than about change.

[62] In fact, it relates closely to what field scholars have observed about markers such as certifications, degrees, and external assessment: when accepted as such, they are markers of social status and of legitimacy (Bourdieu 1998: 22; Meyer and Rowan 1991: 51).

that field members must possess (Bourdieu and Wacquant 1992: 107-8). In humanitarianism, these rival actors include militaries, governments, and for-profits. To Stephen Hopgood's question as to why is Wal-Mart not a humanitarian organization, then, one must respond that Wal-Mart's economic capital can give it entrée into the field, but finances alone do not a humanitarian organization make (see Hopgood 2008).[63]

Competition within the field does not presuppose its dissolution; quite the contrary. As Bourdieu states:

> [There is an] objective complicity which underlies all the antagonisms. It tends to be forgotten that a fight presupposes agreement between the antagonists about what it is that is worth fighting about; those points of agreement are held at the level of what 'goes without saying', they are left in the state of doxa, in other words everything that makes the field itself, the game, the stakes, all the presuppositions that one tacitly and even unwittingly accepts by the mere fact of playing, of entering into the game. Those who take part in the struggle help to reproduce the game by helping – more or less completely, depending on the field – to produce belief in the value of the stakes (Bourdieu 1993: 73-4; 1990: 68; Bourdieu and Wacquant 1992: 98).

Contestation within the field *sustains* the field because it implies tacit acceptance of the grounds of the fight. This is most apparent in Chapters 4 and 5, on the Sphere Project and HAP International, where arguments over standards, certification, and accountability are framed as fights over what constitutes "humanitarianism." In these cases, the contest is as much about fixing the meaning of humanitarianism as it is about the rules themselves. When self-regulation proponents position themselves – as they often do – as carrying the mantle of Henri Dunant, father of contemporary humanitarianism, they are making a claim to be returning to the pure expression of humanitarianism. Much as

[63] Similarly, the US military's capacity for war prosecution is highly valued in the field of military affairs, but far from accepted in the humanitarian field.

Bourdieu predicted, challengers in a field frequently claim to be returning to the source, origin, spirit, and authentic essence of the game, in contrast to the degeneration that has occurred (Bourdieu 1993: 74).

Focusing on competition also allows us to apprehend how expansion in a field, such as humanitarianism, leads to contestation between newcomers and veterans. In Dezalay and Garth's *Dealing in Virtue*, the key conflict in international commercial arbitration is between grand old men and technocrats. In humanitarianism, too, a significant cleavage has emerged between traditionalists and reformers integrating new ideas into the sector. As in the field of commercial arbitration, in humanitarianism, many of these new ideas stem from an Anglo-American model of business enterprise that confronts more traditional, grounded, contextual understandings of humanitarianism. In the case of HAP International (Ch. 5) in particular, self-regulation has arisen in an environment characterized by calls for accountability, transparency, and professional, efficient service delivery.[64]

In each of the chapters that follow, the development and implementation of self-regulatory initiatives has been characterized by core cleavages among humanitarians on essential aspects of code design. In Chapter 3, I find salient divisions over the Code of Conduct between the International Committee of the Red Cross and NGOs, reformers and amateurs, and disaster and development NGOs. In Chapter 4, on the Sphere Project, the central tension is between Anglo-American and French NGOs on the question of

[64] The recognition of an economic subtext is partly captured by Bourdieu's notion of the "field of power," which is a field of struggles for power among holders of different forms of power, and struggles to preserve or transform this balance of forces (Bourdieu and Wacquant 1992: 76, fn. 16). The field of power explains humanitarianism's subordination to broader global trends – market logics. Indeed, in capitalist societies, the economic field holds considerable sway (Bourdieu and Wacquant 1992: 110).

universalism versus contextualism. In Chapter 5, on HAP International, the tension between Anglo and French NGOs is joined by disagreements within HAP over the direction of the initiative and between HAP and Sphere on the approach to regulation (purity versus accommodation). Finally, Chapter 6 presents the Code of Conduct on Images and Messages as a mechanism by which the development education community has provoked a discussion with fundraisers, and as a means for Ireland's Dóchas to exercise field-level leadership in the domain of accountability. In each of these chapters, the identity and practice of humanitarian relief is, in part, the outcome of contestations over self-regulation.

I also take seriously the idea that crisis can create space for change. Powell and DiMaggio note that exogenous shocks can block the reproduction of institutional patterns and induce change (Powell and DiMaggio 1991: 30). They are certainly not the first scholars to note that crisis and disjuncture can create opportunities for change by disrupting the normal order of events (see Chapter 1). Ideational entrepreneurs are able to use the space opened by crisis to advance new ideas about proper practice. They also, often, drum up the sense of crisis. (Crises do not simply occur; they must be presented and apprehended as such). Now, bearing in mind the centrality of symbols and ideas in field constitution, it strikes me that the most significant crises will be those that impact on the ideational foundations of the field – those that precipitate questioning of taken-for-granteds, accepted practices, and even identities, such that, as Christian Reus-Smit has theorized, actors or institutions must adapt (recalibrate their bases of legitimacy) or face disempowerment (Reus-Smit 2007).

Crisis already figures prominently in humanitarian identity. As I have noted in Chapter 1, humanitarianism is essentially a crisis-driven occupation, as funding, organization, and sector expansion are highly correlated with the emergence of large scale humanitarian disasters – World War II and in Ethiopia, Rwanda, and Southeast Asia, to name just a few. However, the preeminent crisis driving humanitarian self-regulation, while related to events – in Ethiopia and Rwanda, notably – is more existential than tangible. It derives from a set of trends, including those surveyed above: sector growth and expansion, increasing public pressures, and competition. It is experienced in the field as a *crisis of legitimacy*.

Legitimacy, which is the idea that the values pursued by organizations must be congruent with wider societal values, is that which embeds fields in wider social structures (Scott 1991: 169-70). The humanitarian crisis of legitimacy is captured by the statement "doing good is no longer enough." As Walker and Russ have written, the evolution of humanitarian action from emergency response to service delivery, and thus closer collaboration with funding agencies:

> Brought out into the open a basic contradiction that aid agencies had lived with for decades: they had accepted donations and grants on the premise that the aid agencies' commitment to compassion and to "doing the right thing" was sufficient justification to trust them. Yet the reality had always been that agencies were entrusted with other people's money to carry out acts on behalf of a broad public, targeted at those who were suffering but essentially doing so for the common good. Such a system demands complex layers of accountability and the balancing of competing tensions (Walker and Russ 2010: 14-5).

Similarly, in her analysis of the Sphere Project and the Code of Conduct, Margaret Buchanan-Smith observed that by the early 1990s, the days of unquestioning acceptance of the "good work" of humanitarian agencies was over (Buchanan-Smith 2003: 14). In

every initiative I study, self-regulatory advocates share a belief that old methods of operating no longer provide a sufficient basis for action. In various ways, these figures have also drawn on the specter of crisis in support of their initiatives. With the Code of Conduct, the massive growth of the sector is experienced first and foremost as a crisis of coherence; lack of coordination and pervasive amateurism threaten to deteriorate the esteem of the sector and contribute to negative outcomes. With Sphere, HAP, and the Code of Conduct on Images and Messages, failures in Rwanda and a general atmosphere of retrenchment and critique are used to marshal support for extensive processes of collaboration, technical standardization, and re-assessment of core values. Often linked, at other times in conflict, these initiatives have attempted to reshape humanitarianism from its roots in charity and good intentions to modern bases.

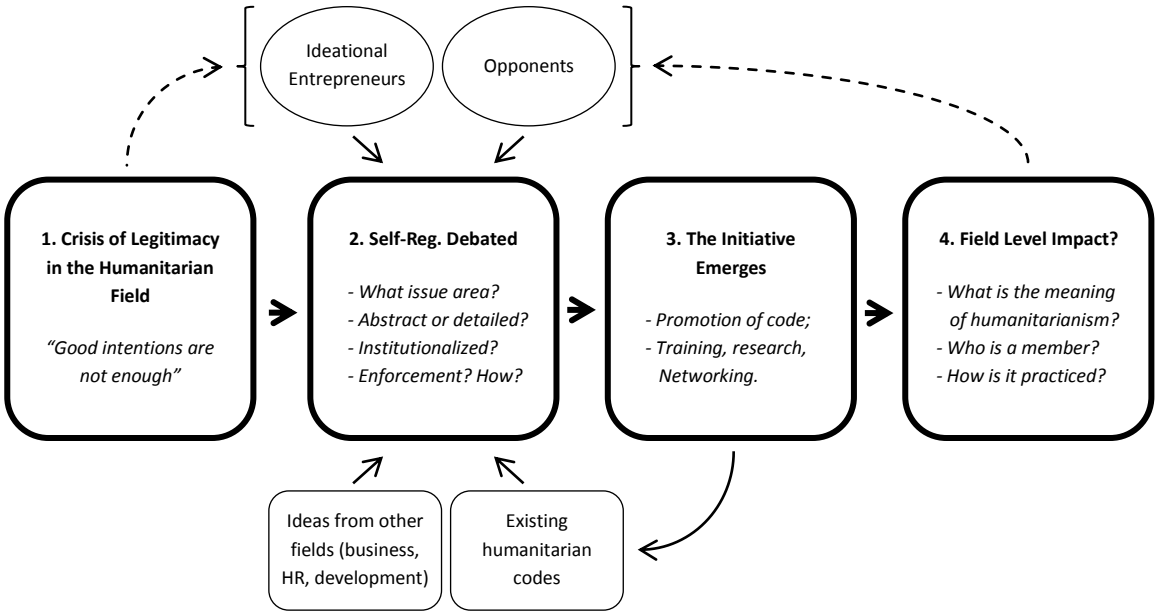

Figure 3

The expected relationship of the crisis of legitimacy to humanitarian self-regulation is modeled in Figure 3. In the first stage, legitimacy challenges create

openings for the advancement of alternative models. In Stage 2, ideational entrepreneurs, drawing on their experiences and expertise, as well as on humanitarian regulatory precedents and innovations from other fields, advance principled arguments for codification. In the process, they confront opponents with different understandings of proper humanitarian practice. The initiative that ultimately emerges in Stage 3 is a reflection of these contestations, as decisions on enforcement, specificity of standards, and issue area directly impact the initiative's scope, strength, and effectiveness. For example, Sphere's decision to work only on areas of preexisting agreement initially limited its scope and strength, as issues like protection, gender, and accountability were not considered and enforcement was set to the side. Two arrows lead from Stage 3. The curved arrow illustrates the circularity of the regulatory process, as the newly emerged code becomes part of the larger regulatory fabric of the field, thus influencing future initiatives. The second arrow points to field level changes, represented by Stage 4. To the extent that the resulting initiative is taken up by the humanitarian community – and this varies by case – it can be said to have an impact on the field, helping define the meaning of humanitarianism, who is and is not a member, and how the game is played. The final dashed line, which leads from Stage 4 back to the NGO bubbles, represents the impact that self-regulation has on NGOs.

Conclusions

This chapter has accomplished several objectives relative to the case study chapters that follow. It has served, first, as an elaboration of this dissertation's theoretical basis – the organizational field – which I have developed through a joint reading of

Bourdieu and new institutionalism. The idea of the field captures the extent to which humanitarianism is a social space, increasingly governed by sector-specific rules, knowledge, and structures, such that it is impossible to fully analyze a humanitarian agency outside of a broader understanding of that which is *humanitarianism*. Thus, the field enables a deeper understanding of agency – it calls attention to the background knowledge and taken-for-granteds that humanitarian actors have internalized by virtue of being humanitarian. Outside its specific application to humanitarianism, it is my expectation that field theory's insights into questions of identity, boundary-drawing, and competition can be applied productively to other domains of endeavor, including nonprofits (environmental, human rights, labor) and for-profits (corporate social responsibility). I outline a possible research agenda in the concluding chapter.

In addition to theoretical elaboration, I have sought to apply the concept to humanitarianism. In drawing on Powell and DiMaggio's new institutionalism, I have used their analytic precision to highlight trends in the professionalization and structuration of humanitarianism and, in so doing, to identify various centers of power and pathways of influence that bear on our assessment of humanitarian governance. Viewing humanitarianism as an organizational field provides a basis for my work in subsequent chapters, where self-regulation appears as a means of contesting and reshaping this social space.

Finally, I have attempted to address new institutionalism's tendency towards structuralism by emphasizing the flux and contestation that are so evident in Bourdieuian field analysis. I have identified two conditions by which fields evolve: contestation over

power, ideas, and capital, and crisis, which provides space for the advancement of alternatives. In humanitarianism, it is a crisis of legitimacy that undergirds self-regulation.

In concluding, I would like to more explicitly link the concept of the field – the humanitarian field – to the phenomenon of humanitarian self-regulation, which I analyze in specific detail in the following chapters. I find four principal points of intersection between self-regulation and the field. The first concerns *boundaries*. For Bourdieu, and particularly for Dezalay and Garth, the question of who is and is not a part of the field is a constant area of negotiation. One of the hallmarks of efforts to self-regulate is that, in establishing core principles and practices, humanitarians are explicitly defining what it is to be a humanitarian. If, for instance, it is agreed that humanitarian actors are professional, then, by extension, amateur or impromptu displays of charitable sentiment are something other than humanitarianism. (They are charity, perhaps). How codes define humanitarianism is thus essential to their functioning.

Second, fields are characterized by sets of *knowledge* that are specific to them. I have provided numerous examples of surveys, studies, and databases created by humanitarians to guide future practice. In several respects, most notably with the Sphere Project, producing knowledge is essential to the regulatory project. Sphere comprises a collaborative movement and a detailed technical handbook of accepted – universal, is the claim – standards. Contestations around Sphere, then, are fundamentally linked to the power to define truths and knowledge. Similarly, in every initiative, the production of data – studies and reports – is essential to the selling of regulation.

Third, as Bourdieu makes clear, fields are like games in that they are implicitly and explicitly *rule-governed*. The power to define the rules of the game is the power to define its stakes. Self-regulation is, at its core, concerned with setting rules and establishing standards for appropriate practice. In different ways, each code I analyze is making claims about how humanitarian actors should act: impartially, independently, and humanely (the Code of Conduct), according to technical guidelines and informed by human rights (Sphere), professionally and accountably (HAP), and with respect for human dignity (the Code on Images).

Finally, fields contain *accepted authority*, which is to say, in each field, certain forms of capital are particularly valuable. As I demonstrate, self-regulation is, collectively, part of a project to transform humanitarian action from an amateur, charitable calling into a technically proficient profession. This involves a shifting of the core humanitarian attributes, wherein efficient organization and training are now revalued at the expense, arguably, of passion and intentions. Organizations and individuals fitting the new mold are, thus, relatively better positioned than their peers.

In the following chapters, I focus on four specific initiatives, attempting to capture, through an overview of their history, successes, and debates, the ways in which these initiatives, individually and collectively, are remaking humanitarian action.

Ch. 3 – Defining Humanitarianism: The Code of Conduct

The first, and arguably the foundational, field-wide humanitarian self-regulatory initiative was the Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations (NGOs) in Disaster Relief.[65] Published in 1994, the Code of Conduct emerged out of a series of internal principled critiques of a humanitarian system that was, by the mid-1980s, undergoing tremendous growth in actors and funding.[66] Driven by deep ambivalence over the expansion and evolution of the sector, a group of ideational entrepreneurs sought, for the first time, to compile humanitarianism's core values in a single document. The resulting Code, consisting of 10 core principles and several annexes, set the scene for subsequent governance efforts and foreshadowed future debates over practices and principles.

This chapter charts the origins and analyzes the wider impact of the Code of Conduct on humanitarianism. Following theory developed in previous chapters, I highlight self-regulation as a vehicle for advancing new interpretations of humanitarianism, while drawing attention to contestations among agents for positionality in the field – particularly those between veterans and newcomers to the field. Far from being a neutral or natural outgrowth of a maturing sector – epiphenomenal to professionalization – , I demonstrate that the Code of Conduct was a contingent, political effort to define and demarcate the boundaries of humanitarianism.

Indeed, despite what I show to be an unimpressive record as an actual regulatory

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[65] Henceforth "the Code", "the Code of Conduct", or "the RC/NGO Code".
[66] Between 1980 and 1990, the number of northern NGOs increased nearly two-fold while the growth in institutional funding was equally dramatic (Stoddard 2002).

instrument, the Code of Conduct nonetheless speaks to the role of self-regulation in the symbolic elaboration of humanitarianism. The Code also demonstrates the potential for a voluntary, institution-less document (a weak "accountability club") to shape collective norms and conceptions. Since publication, the Code of Conduct has become the "most widely accepted set of humanitarian values" (Vaux 2001a: 6; IFRC 2003: 140) and "perhaps the 'mother of all codes' in the humanitarian system" (Leader 1999: 1). More than any other initiative, signing the Code has become a rite of passage for agencies entering the humanitarian field.

I begin by introducing the Code of Conduct, situating it in general trends (sector growth, new actors) and specific inflection points (crises in the Horn of Africa), while sourcing its emergence to principled action on the part of a small set of veteran ideational entrepreneurs. Section II foregrounds the key debates and cleavages that appeared during the development of the initiative. Compared to subsequent standards, the Code's development was characterized by genuine harmony among established humanitarian actors; however, it carried real implications for new entrants to the field, particularly for NGOs with a background in development. Sections III and IV assess the impact and deeper meaning of the Code. I find that while the actual regulatory impact of the Code on the day-to-day practices of NGOs has been uneven, its impact on humanitarianism's core concepts and principles has been more dramatic. The Code's significance is thus best understood in symbolic terms. I highlight three impacts of the Code: first, as a precedent for future regulation; second, in defining and expanding humanitarianism; and third, in helping cement an identity for the nascent humanitarian field.

Section I – Origins of the Code of Conduct

The Code is a voluntary code of conduct that seeks to promote the independence, effectiveness, and impact of NGOs and the Red Cross Red Crescent Movement in disaster situations. It encapsulates ten points of principle to which all humanitarian actors should adhere in disaster response work and includes annexes directed at host and donor governments and intergovernmental organizations (see Appendix II). The ten principles include core Red Cross principles of humanity, impartiality, and independence, as well as values traditionally associated with development, such as attention to local capacities, culture and custom, and reducing future vulnerability.[67] The Code is thus classified as a principles-based initiative, as distinct from standards-based initiatives like the Sphere Minimum Standards and HAP International. For scholar Nicholas Leader, standards like the Code of Conduct are "rules for supping with the devil without getting eaten, or corrupted; for humanitarian agencies they are the 'long spoon' of the proverb" (Leader 1998: 290). The Code provides principled guidance in unprincipled situations.

As of April 2012, the Code has 492 signatory organizations, making it by far the most widely signed – if least stringent – self-regulatory initiative.[68] The Code counts among its signatories all of the large humanitarian agencies and federations, such as Oxfam and World Vision International, with the partial exception of MSF, of which

[67] Neutrality is not specifically referenced, but aspects of this principle are encapsulated by Principle 3 – that "aid will not be used to further a particular political or religious standpoint" (IFRC and ICRC 1996 ; Slim 2006: 161). Neutrality, Hilhorst writes, was included in "such an awkward and ambiguous way that it offers little guidance to NGOs working in conflict situations" (Hilhorst 2005: 356).

[68] For comparison, HAP International (Ch. 5) has 84 member agencies as of April 2012; People in Aid has 181 members. This is not a perfect comparison – HAP and PIA have stringent membership requirements – but it does provide some indication of the breadth of the Code's reach, if not, perhaps, the depth of agencies' commitments.

MSF-Belgium is the sole signatory. Unlike Sphere, HAP, and, indeed, most all of the major initiatives to follow it, the Code is "free floating;" it lacks an institutional focal point. Instead, the Code is "hosted" by the International Federation of Red Cross and Red Crescent Societies (IFRC), whose chief duty is to maintain the list of signatures. As Dorothea Hilhorst explains, the IFRC "has no mandate to renew periodically signatories or to remove signatories that cease operating or do not qualify. There are no minimal requirements for signatories" (Hilhorst 2005: 367). Practically, this means that ownership of the Code is not clearly established, that the list of signatories is not necessarily up to date, that there is no forum to discuss signatories, and that there is no representation for the Code (Hilhorst 2004: 29; Int. 27, Int. 48).

Absent an institution, the Code of Conduct is voluntary and self-policing; there are no penalties for signatory organizations that fail to live up to its standards (IFRC 2011). Though a light compliance mechanism, such as a complaints mechanism, was originally envisioned, it never made the final draft.[69] This was partly a reflection of the complexity of relief operations and the practical impossibility of monitoring compliance amidst unclear lines of authority (RRN 1994: 4; 1995). The abstractness of a principles-based code makes monitoring difficult as well (Leader 1998: 303). It appears that the Code's drafters believed that enforcement and monitoring would evolve with the field – a functionalist idea – and, for at least one of the Code's founders, "HAP is the evolution of [the accountability mechanism]" (Int. 14). In fact, HAP does indeed attempt to verify

[69] One of the drafters recalled that early versions "had much more teeth in it – they were much more strident." But the "language has got to be language that will pass, otherwise there's no point. So it gets watered down and, in a sense, becomes establishment if you want to get through the establishment channel" (Int. 14; also Int. 48). This opposition to compliance mechanisms would carry through to Sphere and HAP.

compliance to agency commitments, including the Code of Conduct (Int. 11), though the relationship between HAP and the Code is fairly complex, as I discuss in Chapter 5. Surveys have found sector interest in a "light mechanism" for monitoring adherence, including such options as announcing the Code on signatory websites, providing complaint mechanisms, and making the Code part of training curricula (Hilhorst 2005: 365-7; 2004: 36).

Institutional frailties aside, there is little doubt that the Code of Conduct was a significant step in the development of contemporary humanitarianism, not least because it represented the first sector-wide effort to develop common understandings of core beliefs. Its drafting reflects the flurry of international cooperation and optimism that prevailed in the immediate aftermath of the Cold War. As Peter Walker, one of the Code's drafters, put it, there was a "real feeling in the early years that humanitarian NGOs could and should act coherently and on a grander scale, that they should have a seat at the international policy table and that their actions in the field made a difference" (Walker 2005: 325; Leader 1998). This was a positive project, not a reaction to external forces. Indeed, unlike subsequent initiatives, the impetus for the Code came almost entirely from within the sector. One of the framers recalled: "I don't remember us thinking of this in any sense as a defensive mechanism, as a rebuttal to, or, if we don't do this, we'll have it imposed on us. Nothing like that. It was just not in the thinking" (Int. 14).

The Code evolved out of an essentially principled critique by veteran aid workers at large organizations over the quality of aid being provided in Sudan and in the Horn of

Africa in the mid to late 1980s. For Oxfam and the ICRC, in particular, there was the perception that much of the work being done was of low quality and a mechanism was needed to raise standards (Leader 1999: 1). Humanitarianism was growing – rapidly – and many in the field were shocked by the gulf in competence among agencies, as well as by the increase in competition among them. As one of the Code's drafters put it, "in Ethiopia, for the first time, we had aid agencies sort of falling over each other to do things… and we were all shocked about the manipulation of the media" (Int. 27).

For the Code's framers, the proliferation of agencies was not, in and of itself, the concern, but it was certainly directly related to the problems they were witnessing; growth in the sector was exacerbating differences in quality and standards, and thus threatening the integrity of humanitarian action. The ICRC's Bruce Biber recalls that, "parallel to the growth of existing agencies, a host of new, mainly non-governmental organisations suddenly came into existence. Although all claimed to be 'humanitarian', many launched operations in the field according to questionable, vague, or sometimes inexistent ethical standards. As a result, the integrity of humanitarian action itself was threatened" (Biber 2004 ; see also Walker 2005 ; IFRC 1994: 23-4). One of the Code's drafters remembers being:

> Shocked by the variety of quality [in the Horn of Africa] – everything from individuals who quite clearly saw this as an adventure holiday – you know, to be given a bloody big Land Rover at the age of 21 and allowed to go play in the desert – and they would treat it as such, to organizations that were quite obviously just fronts for intelligence gathering… The whole variety of stuff going on that you thought, 'This is not what I had signed up for.' And we talked about there needs to be some sort of standard, particularly on how people behave in somebody else's country (Int. 14).

For another key player, the French Red Cross, the spark was the Armenian earthquake in

1988. This was the first time the Soviet Union had opened itself up for foreign aid, "and it was a free for all" (Int. 14). Across the system, many of the developments discussed in Chapters 1 and 2 were beginning to manifest themselves: there were increasing numbers of disasters, relief had become a business, the rollback of governments had left humanitarians as the sole agencies working with the poor and marginalized, and NGOs were facing new political pressures (RRN 1994: 3; IFRC 1996: 56-60).

Thus, in 1991, the French Red Cross sponsored a decision calling for a study of the possibility of developing a code of conduct for humanitarian aid in situations of natural and technological disasters. Observing that media and public interest "translated into an appreciable increase in funds, but also prompted action by many agencies of varying levels of competence," the Council of Delegates of the Red Cross and Red Crescent Movement asked the Federation, in consultation with the major relief agencies, to convene a group of experts to study the feasibility of a code (ICRC 1992: 39).

After initially approaching the United Nations, which demurred, the International Federation of the Red Cross pushed the issue through the Steering Committee for Humanitarian Response (SCHR), a group consisting of some of the largest and most established international humanitarian agencies, including CARE, Caritas Internationalis, Catholic Relief Services, the IFRC, the Lutheran World Federation, Oxfam, Save the Children, and the World Council of Churches. The SCHR endorsed the project and tasked Peter Walker (IFRC) and Tony Vaux (Oxfam) with drafting the Code (Walker 2005: 326; RRN 1994: 2-3; Hilhorst 2005: 351). In addition to the eight agencies (SCHR plus ICRC) copies were also disseminated to European NGOs through the EC-NGO

Liaison Committee, to US NGOs through InterAction, and to governments through diplomatic missions in Geneva and New York (RRN 1994: 2; IFRC 1994). The Code was ultimately the product of a very small circle of individuals and organizations.

If the Code's drafting channeled the optimism of the early 1990s, the conditions under which it was implemented and institutionalized reflected growing concerns among aid agencies over the politicization of humanitarianism by state parties. The ICRC's Bruce Biber sets the scene: "At that time, many donors felt disillusioned by development assistance which, despite decades of investment, seemed to produce few tangible results. In comparison, humanitarian action became highly attractive, producing an immediate, visible, and (at least on the surface) positive impact" (Biber 2004). As Peter Walker puts it, "the world was changing and the low profile humanitarian aid sideshow was being thrust into the foreign policy vacuum" (Walker 2005).

Concerns with politicization explain why, in 1995, a decision was made to take the Code to the 26th International Conference of the Red Cross and Red Crescent, which brought together 1,200 delegates from 143 governments, 166 Red Cross and Red Crescent Societies, the ICRC, the IFRC, and 68 UN and NGO observers. Walker comments that this decision raised the Code from a parochial issue to one of international standing. The code was "welcomed" and states and national societies were "invited to encourage NGOs" to abide by its principles. However, though the Code's proponents had hoped that states would endorse the Code, with states not involved in the Code's drafting and humanitarianism increasingly on the foreign policy agenda, this was not to

happen[70] (Walker 2005: 327; see also Walker 1995: 20; ICRC 1996; Int. 14).

Section II – Defining humanitarianism

In Chapter 2, I theorized that one of self-regulation's principal functions in the organizational field is that of defining proper practice. The Code of Conduct was very consciously *intended* to define humanitarianism by codifying its key values.[71] Reflecting on the discussions leading up to the Code, an ICRC veteran recalled that "there was a feeling at the time that what does 'humanitarian' mean, how do you define humanitarianism? Everyone was using it left and right and it came to mean everything and nothing, so I think that's what really inspired it at first, to really come to a common agreement among humanitarian agencies" (Int. 35). It was not that humanitarian action was without principles; agencies all had internal guidelines, which were often quite practical, "but they just didn't have these big principles up front" (Int. 27). Moreover, "there was no common agreement on what constituted good relief aid… The development of the code would define and regulate humanitarian aid delivered by these different agencies" (Hilhorst 2005: 352). The Code was thus an effort to set, for the first time, "universal basic standards" governing NGO practices in disaster relief (IFRC 1994: 24; Lancaster 1998).

Remarkably, in light of the contentiousness of subsequent regulatory attempts, the development of the Code of Conduct was characterized by genuine cohesion. One of the

[70] From early on, there was the recognition by some that governments, donors, and UN agencies would be reluctant to sign on, given that they were not involved in the creation of the annexes and given that the annexes appeared "rather one-sided" (RRN 1994: 5).

[71] As stated in the preamble to the Code of Conduct, "if the humanitarian agencies do not jealously guard their professional standards they risk losing this unique people-to-people relationship and becoming just another deliverer of national or international governmental assistance" (IFRC 1994: 24).

drafters remarked that "there wasn't any debate, really" about which principles to include (Int. 27). Indeed, it is notable that contemporary initiatives, such as Thomas Weiss and Larry Minear's "Providence Principles" (1993) and Jon Ebersole's "Mohonk Criteria" (1993), contained principles that were broadly compatible with the Code[72] (Walker 2005: 325). In general, as Nicholas Leader has noted, humanitarian codes of conduct exhibit a remarkable degree of agreement about the core principles of humanitarianism, including humanity, impartiality, independence, and some variant of neutrality (Leader 1998: 295). For Hilhorst, this demonstrates that the Code accurately reflected mainstream thinking on humanitarian aid at that time (Hilhorst 2005: 353).

The consensus in mainstream humanitarian opinion reflected the strong gravitational pull exerted by the ICRC on the developing organizational field. The drafting of the Code presented the Red Cross with an opportunity to assert its values in a quickly developing field. As an ICRC veteran noted, "it was one of the first times we saw the advantage of promoting our principles externally, within the sector" (Int. 36). Another recalled that the Code was seen as necessary to promote coherence in the sector (Int. 35). The Red Cross desire for a code also stemmed from the early days of the League of Nations, when the ICRC was seen as nearly a full partner to the League. Many in the Red Cross wanted the organization to come back to more of a partner arrangement with the UN, "hence the French idea of a code to cover them all" (Int. 14). After the UN failed to express interest, focus shifted to a declaratory code. Thus, very early on,

[72] This may or may not have been due to intentional borrowing. One key figure reported looking at the Providence Principles and the Mohonk Criteria (Int. 14); another counters that there "wasn't anything" for models. They didn't see the Providence Principles until after the Code; "they didn't influence the Code" (Int. 27). If anything, this disagreement points to how novel the Code of Conduct truly was – if its framers looked anywhere, it was only at a limited set of initiatives because there were few available models.

proponents of self-regulation recognized its potential to alter hierarchies in the field.

The shadow of the Red Cross loomed large in an even more fundamental way: as the biggest player in a developing field, the ICRC had long played a central role in defining values and practice. This is reflected in how closely the Code of Conduct follows Jean Pictet's seven Fundamental Principles of the Red Cross Red Crescent Movement, especially with regards to humanity, impartiality, and independence (Biber 2004). This was no coincidence; for the Code's drafters, the Red Cross principles were absolutely central. One described the Code as "really going back to those fundamental principles and saying what of these are applicable outside the Red Cross" (Int. 14). Nicholas Leader observes that NGOs and the UN have only given serious attention to developing principles since the 1980s, and they have been heavily influenced by the standards set by the Red Cross.[73] Until the 1990s, Leader writes, the Red Cross had a monopoly on humanitarian principles; since then, work has been driven by NGOs, but "draws heavily on previous Red Cross formulations" (Leader 1998: 295). This observation is confirmed by my research. After the Code, the main humanitarian self-regulatory initiatives – including Sphere, HAP, People In Aid, and Compas Qualité – have essentially been NGO driven initiatives.

The near absence of debate among mainstream humanitarians over the Code of Conduct should not blind us to the fundamental tension underlying the Code, which was not among mainstream organizations, but between these established organizations and the influx of newcomers attempting to gain access to the field. As Bourdieu anticipated, in

[73] For much greater detail on Jean Pictet's seven Fundamental Principles, see Leader's overview of codes (Leader 1998: 294-5).

the humanitarian field, as in other fields, a tension arises between the established orthodoxy and challengers, between those occupying privileged positions in the field and those attempting to gain entry. With the Code, this tension was reflected in the concerns, noted earlier, about the prospect of amateur practice damaging the sector. One of the people involved in drafting the Code suggested that the increase in competition for funds undoubtedly made large agencies amenable to a set of field-wide standards. Following Ethiopia, and especially following Band Aid in 1984:

> The amounts of money just spiraled. And a lot of new players came in. I think you could almost describe it as having been a kind of club up to that point. You can see that in the Disasters Emergency Committee: in the 1980s, it was basically only five organizations – they were the club – was Oxfam, Save the Children, Christian Aid, CAFOD, and the British Red Cross. And they regarded themselves as, you could almost say, the aristocracy. Each of them had their own constituency... So they weren't, in a sense, competing; they could work together … So they fitted together in a sense quite well, and up to '85 I think did more or less run the aid field… But after Ethiopia there was a *huge* expansion, and the business of internationalizing the aid agencies took place. You had people like World Vision and CARE, from the USA, who then set up branches in the UK, and Concern from Ireland… So they kind of challenged this kind of clique of the old British agencies (Int. 27).

This same individual explained that while fear of competition was not a concern for the Code's drafters, who were genuinely interested in promoting principled practice, it was undoubtedly an important consideration for the agencies they represented. He likened the Code of Conduct to "a protective mechanism by the old school of agencies saying, 'Oh, for goodness sake, we need some standards, there are all these new agencies arriving, we don't trust them an inch'… In the '80s, it was really fear about unknown organizations, so let's sit down and see what we stand for" (Int. 27). Similar claims were being made by

the IFRC at that time.[74]

The Code also reflected the emergence of a second tension in humanitarianism, which was the shift in the nature of organizations engaged in emergency relief. Prior to the mid-1980s, emergency action was primarily the domain of the ICRC and MSF; other organizations were more fundamentally development-oriented. With the expansion in funding and an increased prominence of emergency situations, NGOs that were traditionally development-focused began devoting more and more resources to relief operations. Consequently, the Code reflects the fact that it is an instrument of organizations with very different mandates. Article 8, for instance, which calls on organizations to work to 'reduce future vulnerabilities,' is at the center of debates between 'minimalist' (humanitarianism as emergency relief) and 'maximalist' (emergency relief supports development objectives) approaches (Hilhorst 2004: 7). These debates would intensify with the formation of the Sphere Project.

Readers will note that the concept of legitimacy, otherwise so central to this dissertation, has not yet figured in the Code narrative. This is primarily because the legitimacy of humanitarian practice was not substantially at issue during the drafting stages. However, the Code of Conduct certainly foreshadowed trends that would intensify with the drafting of the Sphere Standards. The collapse of the Berlin Wall had already sent a shock through the system. One of the drafters recalled an "explosion of community responses" that led to a lot of talk about how "all agencies have overhead costs and we didn't trust them and we never hear anything back and you give them your

[74] "All NGOs are not the same. Alongside the unprofessional maverick are the competent and the committed. Standards, to scrutinise NGO activity, to promote the good and throw out the bad, are urgently needed" (IFRC 1996: 60-1).

money and you don't know what has happened; that was a source of skepticism about aid agencies that they felt they had to counter" (Int. 27). A contemporary account of the Code published in the *Relief and Rehabilitation Network Newsletter* observed: "It is hard to think of another industry or profession, controlling such enormous budgets and having such serious implications for both deliverers of aid and beneficiaries, which operates almost completely unregulated" (RRN 1995: 1). In addition, in 1993, "the controversial and tragic events in Somalia threw many humanitarians into a quest for identity and legitimisation" (Hilhorst 2004: 5). One humanitarian commentator has thus called the Code the most well known" and "universally acknowledged" effort to "preserve the reputation and the special status of humanitarianism" (Lancaster 1998).

The question of accountability, too, was already being raised by leading figures. For Peter Walker, one of the Code's functions was to clarify to whom and how agencies should be accountable. As recent arrivals to the scene of a disaster, speaking 'about' the victims, the burden of proof is higher for them to demonstrate evidence and build strong relationships with the community. Walker writes that the Code "is implicitly written for these sorts of agencies" (Walker 2005: 326; see also Slim 2002). By 1995, accountability and regulation were reaching the top of the humanitarian agenda, propelled there by unparalleled numbers of agencies and rising costs of relief in an era of unprecedented scrutiny of aid budgets in the United States and European Union (RRN 1995: 1). As stated by the IFRC in its preamble to the Code of Conduct:

> What few people outside the disaster-response system realise is that all of these [humanitarian] agencies, from the old to the new, from the multi-million dollar outfits to the one-man shows, have no accepted body of professional standards to guide their work. There is still an assumption in many countries that disaster

> relief is essentially "charitable" work and therefore anything that is done in the name of helping disaster victims is acceptable. However, this is far from the truth. Agencies, whether experienced or newly-created, can make mistakes, be misguided and sometimes deliberately misuse the trust that is placed in them (IFRC 1994: 21).

Reflecting on the Code in 1998, Warren Lancaster observed that doing good was *no longer enough* in light of donor pressure for greater accountability, selectiveness by recipient communities, competition from NGOs and other actors, and internal voices for reform (Lancaster 1998). These greater pressures prompted the Code drafters to take it to the 1995 International Red Cross Conference and seek the support of states and donors.

Section III – Assessing the Code's impact on practice

One of this dissertation's underlying concerns is with assessing the capacity of voluntary self-regulatory initiatives to exert effects on humanitarian action, even in the absence of strict sanctioning mechanisms. The four initiatives surveyed, of which the Code is the first, have in common their voluntary nature, but differ dramatically on key measures. The Code of Conduct and the Code on Images (Ch. 6) are principles-based codes whereas HAP International (Ch. 5) and Sphere's Minimum Standards are standards-based. Principles-based codes are characterized by broader language; they are less enforceable because they reference abstract values. Of all of the initiatives, the Code of Conduct is also the least institutionalized, lacking both a secretariat and compliance mechanisms. This is a reflection of its novelty, as well as of the lack of political will, in the absence of a perception of crisis, to set up a more enduring structure.

Table 3

Sanctions \ Institution	*Yes*	*No*
Yes	HAP	?
No	Code on Images / Sphere	Code of Conduct

One of the basic conclusions to be made about the Code of Conduct is that, by conventional metrics like compliance, it actually has not been tremendously successful. Though, for many humanitarians, it is cited as a guiding document, the few external evaluations conducted against the Code have found, at best, mixed compliance. This section finds the Code to be considerably popular among practitioners, but also identifies issues with institutionalization and consistent application. This cautionary assessment is instructive in two ways: first, because the failures of the Code directly motivated the shape and strategies of future regulatory initiatives, notably Sphere and HAP; second, because the ideational impact of the Code is all the more striking in light of its weak institutional structure. Indeed, the Code is a powerful case, for if it can be demonstrated that a voluntary code, without even an institutional home, can have enduring effects on the humanitarian field, then it calls into question the disciplinary preeminence of questions of compliance or enforcement. As I demonstrate in the next section, the Code's primary impact is to be found elsewhere – in the normative fabric of the sector.

The Code of Conduct is the oldest and, by measure of signatories, largest self-regulatory initiative; it counts among its 492 signatories most of the large humanitarian organizations and federations. As Figure 4 shows, it has steadily gained signatories since

1994, despite not having an institutional focal point.[75] As discussed earlier, this makes the Code the single most widely signed humanitarian self-regulatory instrument.[76]

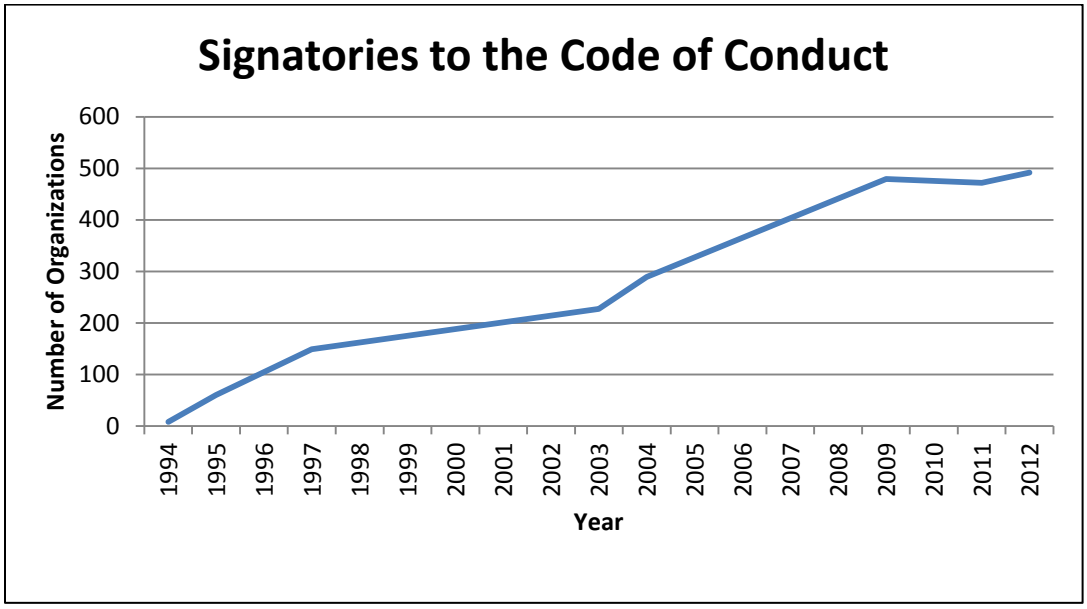

Figure 4

However, the impressive number of signatories is not indicative of its direct regulatory impact. As Dorothea Hilhorst put it, "despite some apparent successes and its broad level of acceptance, the code did not come to play a lively role" in its initial years; "while it had inspired other quality initiatives and tools, it had itself become dormant" (Hilhorst 2005: 352). Tony Vaux found that "in the decade since the Code was devised little has been done to promote it and too often it is just a 'badge' acquired easily by declaration. There is no process of scrutiny and even commercial security companies

[75] Non-humanitarian organizations were purged from the list prior to 2011.
[76] The presentation of the numbers alone is somewhat deceiving; Sphere is far larger in participation, but lacks a signatory list. As a critic of the Code observed, "I'm guessing that there are 20,000 humanitarian organizations in the world, there are something like 3 or 4 million development organizations, so the number of organizations that have signed up to these universal principles is tiny" (Int. 29). That said, the vast majority of the main players – the ones who most influence the field – have signed on, which is significant because the rules for and leadership of the field emanates out from its gravitational center.

have signed up to it" (Vaux 2001a: 6; ICVA 2004a). The observation that anyone can sign up to the Code was mentioned in interviews as well; at one point, the list of signatories included a private security company[77] (Int. 27, Int. 34, Int. 36). Five years after the Code's drafting, in 1999, a study of British agencies found that the NGO Code had "not been internalised by organisations and remains unused as a means of guiding and auditing their work" (qtd. in Leader 1999: 3). Five years after this, on the 10 year anniversary of the Code, Dorothea Hilhorst's wide-ranging survey of signatory organizations found varying levels of institutionalization, with the most progress in education; organizations had made the Code an explicit part of their introductory courses. Trócaire (Int. 17), Concern (Int. 25), and Catholic Relief Services (Int. 43, Int. 45) are all examples of organizations that have integrated the Code into their training materials. Other organizations had integrated the Code into their principles or strategic plans. "The general view, though, is that the code is being utilised in an implicit manner, and as such, the degree to which it reaches the field is not sufficient" (Hilhorst 2005: 363; 2004: 32). Hilhorst also found that organizations rated their own compliance with the Code highly but were less optimistic about their humanitarian peers.[78]

The most optimistic assessment is that the Code's impact as a regulatory tool has been mixed. In my interviews, both with practitioners and workers at other initiatives, I found assessments of the Code to range from disappointment – "it hasn't had much effect" (Int. 27), observed one of the writers; "the Code of Conduct has become totally

[77] The security company in question was ArmorGroup, founded as Defense Systems Limited (Vaux 2001a: 6; United States Department of State 2004).
[78] On a scale of one to ten with ten indicating perfect compliance, respondents gave their own organization an average grade of 7.2 and other agencies a 6 (Hilhorst 2004: 13).

meaningless" (Int. 34), commented a HAP worker[79] – to measured optimism – "it's very useful for guidance" (Int. 45); "it provides clarity on what you're about" (Int. 57). As both Vaux (2001) and Hilhorst (2004, 2005) have found, adherence to the Code is quite uneven; while some agencies take its dictates quite seriously, others do not consciously use it. At the ICRC, for instance, I was advised that the Code is "not one of our standard tools we use or train with," though it had a lot of influence in its time; "aspects were institutionalized" (Int. 35). Another ICRC staffer noted that the knowledge of the Code and other such instruments is uneven, highly linked to specific functional areas (Int. 36). On the other hand, it was immediately apparent that humanitarian staff at Trócaire (Ireland) took the Code very seriously, finding it "hugely valuable" on a personal and on a policy level (Int. 16, Int. 17). The head of humanitarian response had the Code affixed to the wall of his office and referenced it by memory, line by line, during our interview. When Trócaire is developing various policies within the Caritas family, he explained, "you go, 'Hold on a minute, where are the Code of Conduct principles here?' and you bring it right back" (Int. 17). At Concern, too, "the overall principle that drives [their] humanitarian approach is the Code of Conduct"[80] (Int. 25).

One of the difficulties assessing the Code's impact on practice is that it has only rarely been used in external evaluations of humanitarian interventions.[81] Tony Vaux's

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[79] Another sector veteran, now employed at HAP International, expressed disappointment in the Code: "it's a really important tool that is in fact a nothing. There's nothing to it. Everyone says they're signed up to it but if you ask anyone, even the CEO who signed the document, which parts of the Code are most important to your organization, they can't even tell you one. 'Oh, probably neutrality.'" (Int. 37)

[80] This familiarity with the principles contrasts with a staffer at the ICRC who commented that neutrality – which is not specifically included in the Code – was one of its most important aspects (Int. 36). I encountered this at Islamic Relief as well (Int. 28) and was told by a staffer at HAP that this is a common perception among their member organizations (Int. 37).

[81] However, this does not mean that the Code has not been used for internal auditing and self-assessment.

DEC-commissioned evaluation of the Gujarat earthquake response in 2001, seven years after the Code's publication, is actually one of the very first examples of the Code being used for purposes of external evaluation. Vaux found mixed compliance, at best, with the Code. Notably, the evaluation reported that "all DEC members are signatories to the Code but none used it actively during the emergency, and many field managers were unfamiliar with it" and that "some agencies were following the Code much more than others" (Vaux 2001b: 13). Vaux adopted a 10 point scale to examine each of the ten principles of the Code, with 10 indicating perfect compliance. In Gujarat, the agency average was 5.9/10. Agencies rated highly on impartiality, abstention from politics, and accountability to donors – scores were in the 8 to 9 range – , but were substantially worse at involving beneficiaries (4/10) and reducing future vulnerabilities (3/10)(Vaux 2001b: 14). Vaux subsequently used the Code to conduct the DEC's evaluation of the Indian Ocean Tsunami crisis response in December 2004. This study also found mixed results, but was generally praiseworthy about the response, finding success among participant organizations in placing needs first (with Indonesia as a partial exception), in sensitivity to culture and custom, and in transparency and accountability, especially to donors. At the same time, there were still significant gaps in involving beneficiaries in project management, building capacity, and reducing vulnerability (Vaux 2005). The Code has also been referenced by the Tsunami Evaluation Coalition (Telford and Cosgrave 2007) and by an independent scholar to assess agencies' impartiality in Kosovo (Porter 2000).

It should be noted that while the Code is numbered 1 to 10, there is actually no explicit hierarchy among its principles, with the possible exception of Principle 1 (the

humanitarian imperative comes first). This distinguishes it from its source material – Jean Pictet's seven Fundamental Principles – which separate primary (humanity, impartiality, independence, neutrality) from secondary principles so as to provide grounds for decision-making in complex situations. This gives the Code additional flexibility in its application, but also makes meaningful assessment difficult as there is no standard for judging whether, for instance, sensitivity to faith and custom is commensurate with impartiality.

This also helps explain why it has been so difficult to implement and follow the Code; as a principles-base code, it simply lacks specificity. While, as Nicholas Leader suggests, the vagueness of the document may have allowed many agencies to sign up to it, it undoubtedly also explains why agencies that are party to the same Code often take vastly divergent positions[82] (Leader 1998: 301-3; Hilhorst 2005: 355-62). Other times, it may be difficult for certain organizations to comply, given their specific mandates. For instance, some rights-based organizations find it difficult to incorporate the Code because of fear that it may conflict with their missions (Hilhorst 2004: 31). One of the framers recalled this as an issue during the drafting stages: agencies that appealed to specific communities, like faith-based organizations (FBOs), or had justice or rights-based mandates, had more difficulty with principles like impartiality (Int. 27). Others have pointed to the lack of an institution after the founding figures moved on to other domains (Int. 27, 48, 57; Lancaster 1998). (This was a lesson learned by Sphere). And still others

[82] Leader writes that principles of humanitarian action are a mixture of two types of principles: first, abstractions of a moral nature – absolute imperatives above and beyond discussion. Second, rules based on judgment and experience, adopted by a community to guide its conduct. There is a perpetual tension between these, and many disputes arise from misunderstandings about where the line is drawn (Leader 1998: 293; see also Lancaster 1998).

have highlighted the lack of enforcement. As a longtime aid worker commented, "one of the critiques is that it's very well having a Code, everyone's signed up to it, but it doesn't mean anything. By definition, a code has to be enforceable" (Int. 29). Asked a Sphere staff member: "How do you police it?" (Int. 31).

As far back as 1994, there was the recognition that, "to many observers, the absence of a body responsible for monitoring adherence to the Code and with the powers to encourage or even enforce such adherence represents the principle weakness of the Code" (RRN 1994: 3; Lancaster 1998). The Relief and Rehabilitation Network (RRN) questioned in 1994 whether the Code would "significantly alter [NGOs'] actions during relief operations, given the Code's 'lack of teeth'," and acknowledged the risk that signatories would use the Code in public relations material without adhering to its principles in practice[83] (RRN 1994: 5). Indeed, Hilhorst argues that the Code of Conduct is actually not regulatory at all because of its cautious language (such as 'endeavor to' instead of 'shall') and because its different articles can yield contradictory demands (Hilhorst 2005: 364).

These mixed results, and the rarity with which the Code is used for external evaluation, are reflected in articles written over the past decade. "Is the Code of Conduct still relevant?" asks the ICRC's Bruce Biber (Biber 2004). Is the Code a "dead letter or living document?" asks Dorothea Hilhorst (Hilhorst 2005). Both reply in the affirmative, but their questions are indicative of the struggle to implement the principles in practice.

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[83] Peter Walker writes that the Code has been used in two ways, though it should have been used in three. It has been used as a personal code, as a set of principles to guide aid worker behavior. In this, it has had some success. It has also served as a reference point or baseline that is now accepted as standard rhetoric, if not doctrine. In hindsight, however, the Code drafters were naïve regarding the commitment of agencies to 'walk their talk'; no compliance mechanisms were envisioned (Walker 2005: 327-8).

Though agencies continued to sign up to the Code, as a regulatory tool, it was dormant. However, after the invasion of Iraq in 2003 and leading up to the ten year anniversary of the document's unveiling, there was a revival of interest. In 2004, ICVA and SCHR, simultaneously with a group of Dutch NGOs, conducted major efforts to survey and revitalize the Code. ICVA and SCHR conducted four field visits with the goal of writing a commentary on the principles and annexes in time for the 10th anniversary commemorations[84]; Dutch NGOs conducted research at NGO headquarters' to assess the Code's implementation, yielding, among other outputs, Hilhorst's study (ICVA 2004b).

For many sector veterans, to reflect on the Code's drafting and implementation is a bittersweet occasion. For Peter Walker, one of the drafters, the humanitarian community missed a major opportunity to use the Code of Conduct to advocate for independence and funding from governments and the UN. These principles were enshrined in the Code's three annexes, but little was made of them (Walker 2005: 328). This sentiment was also expressed in interviews. One of the drafters reflects:

> If I had to redo things, I would have said that we should have made a hell of a lot more of those annexes and agencies should have made a hell of a lot more of those annexes, because those annexes were as endorsed as the Code was at that international conference – it was one document. We missed a political trick there. In a sense, it was an ego thing – the NGOs concentrated on their business and they didn't concentrate on the bit that was about pushing governments (Int. 14; also Int. 35).

Another recalls: "The Code marked a point where we could have seen more collective action, we could have seen aid agencies coming together and saying 'Now let's come up

[84] The commentary was never distributed, owing to "differing views within ICVA between those who sought an intellectual guide versus those who wanted practical advice" (Int. 57). This mirrored similar tensions during the Sphere process.

with a joint policy on disaster reduction or a joint policy on what we mean by consultation'" (Int. 27). As a HAP staffer put it, "I think Sphere and HAP and ELRA and the Swiss are all trying to put their fingers in the dike from that early disappointment, because that was the moment we had that brilliant opportunity…" (Int. 37).

Section IV – Beyond compliance

As the preceding analysis suggests, for most NGOs, the Code of Conduct is not a document that they consult, on a day to day basis, in planning their interventions.[85] Is it then a failure? The Code clearly lacks the immediately visible impact of the Sphere Project or HAP International, but it also lacked the institutional backing and sense of urgency of these initiatives. As one of the Code's drafters reflected, ultimately "there wasn't all that much head of steam even behind the Code of Conduct" (Int. 27).

But that's not the end of the story. I would argue that the Code's most substantial impact has not been on the regulatory, but the symbolic, level. This was suggested in a conversation with another of the Code's drafters, who, while expressing regret that more had not been done to give teeth to the Code, acknowledged that what was initially a fringe effort by two individuals has:

> [M]oved to become almost establishment – people don't forget its genesis, it's just as though it's been there forever. 'Of course we signed up to the Code.' It's like human rights. That's good in the sense that the notion that this is an accepted part of the norm, I think is fine. In reality, though, I think most agencies pay lip service to it… It's like any of these norms; it's a step forward that it's there and that people think it's self-evident that this should be a norm (Int. 14).

As a HAP staffer noted, "the Code of Conduct has had an impact on agencies. When

[85] This was not necessarily the intention of the drafters, whose goal was a declaratory code; however, this expectation underlies many of the critiques of the Code (e.g. Raynard 2000: 13).

agencies sign up to it, it's treated a lot like signing up to the Universal Declaration by states, and agencies do adhere as much as possible to that, and sometimes they can use the exoneration clause a bit too often, but that does not mean that there's not a commitment to doing something" (Int. 11).

This is a pivotal insight. Viewing the Code as a humanitarian norm enables us to account for the Code's impact in a different way than if we view it simply as a set of cut and dried rules to be followed or violated, used or not used. Norms, or standards of appropriate behavior for actors with a given identity, regulate through constitution. To the extent that the Code has been internalized as essential humanitarian knowledge, it functions in the background, at the level of a taken-for-granted. If we view the Code as a norm, we can then understand why Vaux found that agencies often do not use it consciously and why organizations may engage in divergent behaviors while still laying claim to be following the Code. Approaching the Code as a norm thus directs us to look explicitly at the initiative's place in the ideational fabric of the field.

Indeed, while evaluations raise questions about the Code's use in practice, surveys and interviews continue to show the Code to be held in the highest esteem across the sector. The most extensive survey on the Code of Conduct, conducted by Dorothea Hilhorst in 2004, received responses from 105 signatory agencies and overwhelmingly found that the Code's 10 articles are widely shared among humanitarians. For instance, between 81% and 94% of respondents found each of the Code's 10 articles "useful in practice" and only 20% to 32% stated that any specific article needed updates.[86] Hilhorst

[86] Even the most controversial principle, Article 4 ('we shall endeavor not to act as instruments of government foreign policy'), had 81% of respondents deeming it "useful in practice" and 86% calling it

also found the Code to be highly appreciated among humanitarians; on a 0 to 1 scale, with 1 signifying full approval, she gauged approval of the Code at .8. In fact, among all instruments and guidelines, the Code of Conduct was cited as second in importance only to internal standards (Hilhorst 2005: 363; 2004: 35). These results demonstrate that "the code continues to reflect the mainstream thinking of people involved with relief NGOs about what should constitute humanitarian aid" (Hilhorst 2005: 354; 2004).

The qualitative section of Hilhorst's survey is perhaps most revealing. Among the responses given by practitioners, Hilhorst found that the Code was considered important as "a body of commonly shared principles," as that which "defines the place of humanitarians next to government and military," as "a common reference point for discussions between NGOs and stakeholders," and as "a reference tool for discussions" within organizations (Hilhorst 2005: 363). Hilhorst found strong agreement with the statement that the Code "makes clear what humanitarianism is" (Hilhorst 2004: 35). The Code's significance, then, is not as an iron law of humanitarian action. Rather, its significance is that it *defines* humanitarianism and functions as a *reference point* for actors within the field.

Breaking this down further, I would argue that the Code has been integrated into the structure of the field in three ways. First, its principles – and its failures – have provided the grist for more recent self-regulatory initiatives. The Code of Conduct has served as a stepping stone and powerful precedent for subsequent attempts to govern the humanitarian field. Second, the Code has had the effect of defining and, in cases, *expanding* the traditional scope of humanitarian expansion. As a boundary drawing

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"fine as is;" only 32% felt that it needed "to be updated." For the full results, see (Hilhorst 2005, 2004).

exercise, the Code has had a significant impact. Third, and related, the Code has come to serve as a marker of humanitarian identity, as a sort of "ticket for entry" into the field.

First, as I predicted in Chapter 2, it is remarkable, the extent to which subsequent self-regulatory initiatives have been built on those that came before. As the first, trailblazing initiative, the Code set an extremely influential precedent for future rule-writing and institution-forming initiatives in the sector. As early as 1994, the Relief and Rehabilation Network (RRN) speculated that the Code "may stimulate an inclusive and more comprehensive process involving governments, donor organisations, UN agencies and NGOs which, over time may results [*sic*] in a sort of Geneva Convention for Humanitarian Aid" (RRN 1994: 5). As others have written, and as I analyze in greater detail in Chapter 4, this is precisely what happened with the Sphere Project. In fact, the Code marks the beginning of a regulatory continuum that links the Code to Sphere and to HAP International. Hugo Slim puts it thus: "If the Code of Conduct asserts the moral imperative of humanitarian duty and the Sphere standards specify the content of some of that duty, then the Humanitarian Charter underwrites both with rights and responsibilities set out in law – international law – so acknowledging the idea of legal duties" (Slim 2006: 163). For Walker, too, the Code's "biggest success has been to pave the way for the Sphere Project, its humanitarian charter and standards" (Walker 2005: 327). As I was told in interviews, Sphere was intended to be "a practical expression of the Code of Conduct" (Int. 31, Int. 34) and, for at least one drafter, HAP is the realization of the Code's enforcement mechanism (Int. 14).

The Code has also directly influenced regional codes of conduct in Ethiopia

(1999), Botswana (2001), the DRC (1998), Cote d'Ivoire, Afghanistan, Somalia, and Colombia (Walker 2005: 328; RRN 1999: 13; Hilhorst 2004: 34). It has been the model for a number of codes in cognate fields, such as the US International Society for Prosthetics and Orthotics Code of Conduct for International Non-Governmental Prosthetics, Orthotics, and Mobility Assistance. And, as I discuss in Chapter 6, the Code of Conduct was also an important source of inspiration for the revised Code of Conduct on Images and Messages. The RC/NGO Code is the first thread in what is today a growing tapestry of regulation.

Second, the Code of Conduct supports the argument that self-regulation has served as a vehicle for advancing new conceptions of humanitarian identity. Indeed, the Code has probably been most foundational in cementing the idea that there even *is* such a thing as a "humanitarian community." As Peter Walker recalls, "the underlying assumption, certainly within the agencies that initially drafted the Code of Conduct, was that there existed a relatively coherent international humanitarian NGO community just waiting to be stimulated into coherent action" (Walker 2005: 325).

In the humanitarian mainstream, as Hilhorst has demonstrated, one can safely say that the Code of Conduct defines the core principles of the field. One World Trust, a think tank focused on civil society self-regulation, finds that the Code "fulfills the role of defining the mission and parameters of NGO humanitarian action" (One World Trust 2011). This came out time and time again in interviews. An ICRC veteran noted that the Code "helped to achieve a clear idea of what we mean by humanitarianism. That's a really important achievement" (Int. 36). For a colleague, "the Code signifies being a

humanitarian" (Int. 35). For various staff at signatory NGOs, the Code is held to be "the bedrock, really" (Int. 17), one of the essential "pillars" of humanitarianism (Int. 25), and "so foundational" (Int. 45, Int. 43). In this, the Code can be seen as succeeding in its goal of establishing common standards for disaster relief (Biber 2004).

If the Code defines humanitarianism, one must recognize that it does so in a specific way. After all, the Code does more than simply restate Jean Pictet's seven Fundamental Principles of the Red Cross movement. It also integrates development principles into humanitarianism – something that the ICRC's Bruce Biber considered to be innovative at the time, but today reflects common practice (Biber 2004). Peter Walker writes that the Code reflects prevailing views at the time that relief work was temporary and secondary to development work, which provided the "true path to the alleviation of suffering and the promotion of universal human rights" (Walker 2005: 324; IFRC 1996: 56). This was reflected in articles five, respecting culture and custom; six, building disaster relief on local capacities; seven, involving beneficiaries in the management of aid; and especially in eight, that relief strive to reduce future vulnerabilities. As Nicholas Leader and David Chandler separately observe, the implication is that traditional principles have been transformed beyond the original goals of assistance and protection to include more long term, expansive aims (Leader 1998: 296; Chandler 2001: 682-3). Chandler relates this move to the increasing presence of human rights ideas in humanitarianism.

Nor did the Code simply add to the Red Cross principles. In the case of neutrality, principles were nearly entirely dropped. Walker reflects that at the time of

drafting, some of the NGOs that saw themselves as first and foremost development and justice-driven were clear that they could not sign on to a code that required them to be neutral. Some agencies made no claim to neutrality, seeing their mission as devoted to justice or rights; neutrality was potentially an accommodation with conflict and injustice.[87] Furthermore, the prevailing view was that development and humanitarianism, previously very different, were being combined and distorted (Walker 2005: 329). At that time, the ICRC and MSF were the only ones operating directly in war zones. It should be noted that the ICRC influenced the Code's cautious language, partly to defend its prerogative in situations of conflict. In the minds of the Red Cross representatives, this was "primarily a code for natural disasters, and natural disasters were not political, and therefore you didn't need neutrality. Of course, that's naïve and it's not like that. But that was more or less the starting point" (Int. 14). Thus the Code, like the Providence Principles, substituted abstention from politics for neutrality (Leader 1998: 299; see also Chandler 2001: 694-6).

In retrospect, some of these changes – the rapprochement with development, the influence of rights language – foreshadowed debates over the nature of the humanitarian organizational field that would become especially profound during the drafting and implementation of the Sphere Standards. The Code reflected the changing reality, which was that development organizations were increasingly involved in humanitarian relief,

[87] Oxfam, which played a major role in the drafting of the Code, made no claims to neutrality. "They said that they're not neutral – they're on the side of poor people – and they're impartial between the actual sides to a conflict, but they didn't claim to the kind of strict Red Cross neutrality" (Int. 27). A humanitarian staffer at Ireland's Trócaire added that "if you look at the example of Darfur, if we were to strictly apply the principle of neutrality, there would have been no vocal opposition to what was happening in 2003-2004" (Int. 16).

and humanitarianism was beginning to be influenced by longer-term, consequentialist ideas that would influence future efforts at regulation.

If the Code was not controversial during its drafting, critiques leveled after publication speak to its significance in defining humanitarianism. In an article reflecting on the 10th anniversary of the Code, Peter Walker enumerates four main lines of critique. The first, that the Code enables states to impinge on agency independence, is more frequently directed at Sphere. I save this discussion for Chapter 4. The second critique, that the Code legitimizes illegitimate behavior in conflict zones, relates primarily to the omission of neutrality and the inattention to aid in conflict-affected zones, and is one that Walker freely acknowledges (Walker 2005: 329). The other two criticisms – that the Code deregulates and distorts humanitarian action in conflict zones and that the Code is a Western document – are worth discussing at greater length, given that both critiques point to the gatekeeping function of codes.

The critique that the Code has opened the door to the deregulation and distortion of humanitarian action in conflict zones is most readily associated with Nick Stockton, founder and former executive director of HAP International (Ch. 5). Stockton argues that the Code of Conduct:

> [R]epresented an important step in re-writing the quasi-official rules of 'humanitarianism', as these now appeared to allow peace-builders, human rights campaigners and all manner of development workers to shelter under the protective umbrella of International Humanitarian Law, the maintenance of which is the duty of states and 'controlling authorities' (Stockton, qtd. in Walker 2005: 331).[88]

[88] Stockton's main issue was that, to achieve consensus, the Code was hedged with qualifications and conditions, thus relaxing the rules of humanitarian action. In general, as is apparent in Chapter 5, Stockton favored an orthodox approach over accommodation (Stockton 2005a). Hilhorst contests the notion that the Code was a negotiated outcome; she argues that it represented a convergence of principles between

Similarly, David Chandler has charged that the Code hastened the integration of humanitarian actors into politico-military campaigns (Chandler 2001). But these claims are not uncontested. The ICRC's Bruce Biber views the Code as a means to *reaffirm* the validity of independent humanitarian action in the face of such threats (Biber 2004). Similar statements were expressed in interviews as well (Int. 16). And Dorothea Hilhorst has found it "difficult to see how the Code of Conduct could deregulate the humanitarian relief work of all of these organisations, when it was not regulated in the first place" (Hilhorst 2005: 353). Rather, what it does do is expand the meaning of humanitarian aid through the integration of development principles, thus devaluing the relative status of the ICRC's Fundamental Principles.

As for the criticism that the Code reflects its bases in large, Western organizations, this has been acknowledged with concern by both Walker and Vaux, the drafters, and by others in the field (Walker 2005 ; Vaux 2001a: 6; Lancaster 1998 ; Slim 2006: 169). As Hilhorst frames it, "the tendency to regard INGOs… as superior has also crept into the language of the Code of Conduct," such as in Article 4, focused on independence – it appears not to take into account local/ national agencies (Hilhorst 2005: 362). This came out in interviews as well. As a veteran of the British NGO sector put it, for small Western and large Islamic agencies:

> There's a clique of large, western, multilateral organizations, and the clique works terribly well for everybody, and it's a way of defining humanitarianism in a way that suits the clique. The 1994 Code, for example, is seen as something that suits a Western idea of humanitarian need but not necessarily a broader Islamic one, and also very much suits a Western form of organization as opposed to the more

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humanitarianism and development (Hilhorst 2005).

partnership based, local, private idea of Islamic ones (Int. 29).

I heard similar comments at Islamic Relief, where senior staffer acknowledged that "some people are skeptical about it [the Code]; they question why it's framed as it is; there is a perceived hidden agenda" (Int. 28). This has precipitated efforts to "translate" the Code into the Islamic context.[89]

This criticism underscores the power and politics of codes of conduct. Designing self-regulatory initiatives implies making consequential choices about what is and is not properly part of a domain of endeavor. Indeed, the potential power of such a code was recognized early on. The Relief and Rehabilitation Network (RRN) wondered in 1994 how large agencies like CARE, MSF, and Médecins du Monde (MDM) would respond, given that they were not involved in the development of the Code. "Such agencies," it reflected, "have been placed in a potentially awkward situation by the appearance of the Code, for if they do not feel comfortable with the wording of one or more of the ten principles their choice lies between 'joining in' or 'staying out'" (RRN 1994: 5). As the first field-wide self-regulatory initiative, the Code of Conduct had tremendous influence on the definition and nature of humanitarianism.

The third major point to make about the Code's impact on the field is that it has come to serve as a marker of identity for actors in the sector. This is part of why the debates highlighted above are of such vital importance: he who writes the code defines

[89] In the UK, for instance, the Humanitarian Forum is working to identify ways to rapproche Eastern and Western values and to 'root' the Code in Islamic principles. Similar work by the IHH Humanitarian Relief Foundation has yielded a code of conduct for Muslim humanitarian organizations rooted in Islam, including specific passages from the Koran (See Humanitarian Forum 2011). These initiatives are attempting to show that "there isn't anything contradictory between the 1994 Code and what Islamic organizations are doing" (Int. 29).

the terrain. As I outlined above, the Code has become an accepted part of the humanitarian identity. One World Trust comments that "the Code has become an accepted norm; today, being a signatory to the Code is expected of most humanitarian NGOs" (One World Trust 2011). The example of Plan International serves as a case in point. One of the world's largest development organizations, Plan has, in recent years, come to see itself increasingly as humanitarian. (This is representative of the broader convergence of development and the Code that necessitated the Code in the first place). As part of this shift, they brought in one of the Code's drafters to help guide the organization through the Code of Conduct and to reinforce its humanitarian credentials (Int. 27). Today, Plan International is a signatory to the Code. Thus, Dorothea Hilhorst observes, "even though there is no threshold to sign up to the Code, there is nonetheless a status attached to it" (Hilhorst 2005).

In some ways, signing the Code facilitates organizations' actions on the ground. Hugo Slim writes that the Code "began a moral shift toward the categorical insistence on humanitarian aid and protection that affirmed it as a supreme duty as much as a right. In doing so, they also began to identify themselves and others as particular duty bearers" (Slim 2006: 162; Leader 1998: 299). The act of claiming responsibility is also an act of claiming *authority*. In Chapter 4, I make a similar claim about the Sphere Project. As a general proposition, codes provide a basis, or platform, for organizations to claim authority vis-à-vis other actors, including donors and states. In the Code, this authority derives from the claimed moral imperative to provide humanitarian assistance and the reference to a set of defined humanitarian values.

In addition to conferring credibility, signing the Code can also have real material consequences for organizations. This illustrates Bourdieu's proposition that contestations over the rules of the game have implications on status and positionality in the field. ECHO, the European Union humanitarian funding arm, requires agencies to be signatories of the Code. For SIDA, Sweden's funding agency, the Code is not a requirement, but it is strongly and explicitly recommended (Hilhorst 2004: 31). Signing the Code is mandatory for membership in the Disasters Emergency Committee (UK) and the Steering Committee for Humanitarian Response (SCHR) and is strongly recommended by InterAction (US) and ICVA (Walker 2005 ; Leader 1999: 3; ICVA 2011). As an aid veteran explained, "it's kind of a ticket – if you don't sign up to the Code then you don't qualify for certain things" (Int. 34). In this way, widely held ideas can have material consequences. Thus, in a very real way, signing the Code is part of paying the entry fee into humanitarianism.

To a certain extent, the Code also helps to protect the field's borders against unnecessary intrusion from without – not just by imposing tariffs on would-be entrants, but also by creating certain obstacles to state intervention. On the ground, the Code helps to protect the space of humanitarian inviolability in disaster zones. For Trócaire, for instance, the Code provides a "much needed shield, both in a corporate sense, but also at a field practitioner level, particularly if you look at our work on the ground in a place like Somalia, where the humanitarian Code of Conduct is absolutely vital" (Int. 16). The flip side of this is that the Code can also be used to deflect attention from what some perceive as necessary sectoral reforms. As one of the founding figures noted: "I think basically

it's a kind of fig leaf that the agencies use. Whenever I talk to chief executives of the agencies they say 'Oh yes, we signed up to the Red Cross Code because it looks good and we get into the DEC" (Int. 27). A similar point was made by an ICRC staffer who suggested that "a lot of people claim they work by the standards to make their action legitimate, and I'm not sure whether all those who claim they work by those standards actually do work by them" (Int. 36). Walker himself has acknowledged that the Code has been used almost as a certificate of authenticity and competence. Its very cautious language – "whenever possible," "notwithstanding," and "endeavor" – invited deregulation (Walker 2005: 332). Hilhorst noted that such ambiguity reflects "real differences within the humanitarian NGO community about the distance maintained from government policy" and that this language provides room for maneuver for agencies with different approaches (Hilhorst 2005: 357).

Conclusions

In the final accounting, one should not overstate the Code of Conduct's regulatory impact on day-to-day operations in organizations. It is clear that, at best, the Code is one of many documents that organizations take into consideration in planning operations. At the same time, it is equally apparent that the Code, as the first wide-ranging self-regulatory initiative, has had a genuine impact on the fabric of humanitarianism. In a very real way, signing the Code of Conduct has become a condition for entry into the field. Debates about compliance aside, it is also evident that, for a large number of practitioners, the principles outlined in the Code encapsulate the core of humanitarian identity. And, as subsequent chapters demonstrate, the precedent set by the Code

provided an ideational foundation for future quality and accountability initiatives, most notably for the Sphere Project.

It is worth reflecting, in closing, on the very particular role played by the Code of Conduct in the constitution of humanitarianism as an organizational field. Whereas Sphere, HAP International, and the Code of Conduct on Images and Messages in many ways take the field as a given, the Code of Conduct was, at least in part, field *foundational*. That is to say, the drafting of the Code of Conduct was one in a set of events that called the humanitarian organizational field into being, specifically by clarifying its shared identity and demarcating its boundaries.

In Chapter 2, I highlighted the tremendous growth of the humanitarian sector in the mid to late 1980s. From an arena dominated by the ICRC and otherwise composed of small, amateur organizations, by the late 1980s, these players were increasing in size and number, flows of information and personnel were intensifying, and public attention was growing. The Code was a response to these changes and a realization of them. It started with the belief that there was such a thing as a "humanitarian community" that simply needed to be called into being, and it reflected both the enduring influence of the ICRC on the community and also the growing strength of large northern NGOs. (Recall the early importance of NGO networks like the SCHR in the Code's development). Though the document that emerged lacked institutional support, it has nevertheless served as a focal point for subsequent efforts at rule-making and has gained a large measure of acceptance. If the field has moved on to initiatives like Sphere, it is nonetheless true that these initiatives have been constructed on a foundation created by the Code of Conduct.

Ch. 4 – Good Intentions are Not Enough: The Sphere Project

The Code of Conduct signaled a high water mark in the golden era of humanitarianism, when rising aid budgets and post-Cold War optimism opened new avenues for action and intervention.[90] This period of expansion came to a halt in 1994, with optimism becoming one of the many casualties of a Rwandan genocide that claimed as many as one million lives and forever altered the face of international peacekeeping operations. More than any other event, Rwanda, and the response to it, crystallized the notion that good intentions could lead to bad outcomes and that humanitarians must advance further down the dual paths of regulation and reform.

Rwanda was a seminal event in a field that has historically been defined by major crises. The genocide itself was followed by the large scale trans-border movement of 850,000 refugees into the Goma, DRC area in the space of just five days in July 1994. While the humanitarian response to these events was unprecedented – 170 agencies registered to operate in the region and funding was $1.4 billion (IFRC 1997: 11-2) – humanitarians were also, in many ways, severely overmatched. Approximately 50,000 refugees died in the first month of the crisis from disease and violence, refugee camps were militarized, and the sector found itself unable to predict the mass movement of peoples. Thus, despite some impressive results, post-intervention evaluations concluded that there were areas where "performance of the system was less impressive and the performance of some agencies was poor," citing unprofessional and irresponsible

[90] For a number of commentators, the late 1980s and early 1990s were something of a humanitarian "golden era," a period of straightforward crises with considerable space for independent operations (Rieff 2002: 102; Vaux 2003: 43; cf. Magone et al. 2011).

behavior that wasted resources and "may also have contributed to an unnecessary loss of life" (RRN 1996: 10, 23; Eriksson 1996).

The most important post-intervention study was undoubtedly the Joint Evaluation of Emergency Assistance to Rwanda (JEEAR), an international process "unsurpassed in terms of its scope and scale, and arguably its impact" (Borton 2004). Together with the genocide, the JEEAR stimulated considerable soul searching by the humanitarian sector and placed self-regulation front and center on the agenda (Shenoy et al. 2007 ; RRN 1996: 23). Rwanda, one of the Sphere drafters reflected, "was just cathartic. I think everybody who was involved in it has images in their mind which just haunt them every day. Images of the savagery that you saw, and images of our failure as individuals to really do enough" (Int. 15). Four initiatives emerged in the aftermath of the Rwandan genocide: ALNAP in 1996, the Sphere Project and the People In Aid Code in 1997, and the Humanitarian Ombudsman Project (later HAP) in 1999.

This chapter focuses on the Sphere Project, the largest of the post-Rwanda regulatory projects. Sphere has received considerable attention since its founding – it has been called "the most ambitious attempt to improve performance and accountability across the humanitarian aid sector" (Buchanan-Smith 2002: 43) and a phenomenon "unique in the humanitarian world" (Walker and Purdin 2004: 110). Previous studies have drawn a direct causal link between the JEEAR and Sphere, portraying the initiative as a response by the sector to donor pressures and the threat of external regulation. My approach is different. While acknowledging Rwanda's singular impact on the drafting process, I place Sphere in broader trends, as an outgrowth of the standard-setting process

begun with the Code of Conduct. Rwanda was a focal point; it crystallized concerns about sector growth, standards, and politicization that were first expressed with the Code. Thus, while Sphere was marked by Rwanda, it was more than a simple response to donor criticism, and its ambitions went beyond technical guidance.

As in previous chapters, my focus is on self-regulation's function in the humanitarian order. I argue that, in the face of specific criticisms over Rwanda and a more generalized crisis of legitimacy in humanitarianism, aid workers used Sphere to cement a new conception of humanitarianism, one rooted in technical acumen, human rights, and professional norms. This represented a fundamental shift from the volunteerism, amateurism, and good deeds by which humanitarian action was previously legitimized. Thus, what was ostensibly a technical project was also fundamentally about generating a new kind of humanitarian practitioner, and the fierce contestations that ensued over Sphere reflected differing understandings of the bounds and nature of the humanitarian field.

This chapter unfolds in six sections. Section I introduces the Sphere Project, identifying its institutional characteristics and mapping its evolution from a limited duration project into a permanent institution. Section II looks at the Project's origins. While acknowledging the importance of post-Rwanda donor pressure, I find that Sphere initially evolved out of a desire by leading humanitarians to advance the project of professionalization and standardization begun with the Code of Conduct. Rwanda played a powerful supporting role by focusing attention on the issue of standards, bringing key players together in the JEEAR process, and crystallizing an almost existential feeling of

crisis. Sphere, I argue in Sections III and IV, was not a neutral project to set technical standards. Rather, it was contingent and political – it was a vehicle for shifting the bases of humanitarian action – and its creation was the subject of contestations between contrasting visions of humanitarianism, particularly between Sphere proponents and a group of largely French agencies. Sections V and VI assess the impact of Sphere on the humanitarian field. I find the Project and its standards to be widely used in practice, but also suggest that a full accounting of its use is difficult, and perhaps beside the point. Sphere's greatest significance has been in drafting the rules of the humanitarian "game." In concluding, I return to the question of accountability, raised by Sphere and continued with HAP International.

Section I – Introducing Sphere

Launched on July 1, 1997 by humanitarian NGOs and the Red Cross/ Red Crescent movement, the Sphere Project represents the first attempt to create globally applicable minimum standards for the provision of disaster relief (Gostelow 1999 ; Walker and Purdin 2004). Sphere is based on the belief that, "first, that all possible steps should be taken to alleviate human suffering arising out of calamity and conflict, and second, that those affected by disaster have a right to life with dignity and therefore a right to assistance (Sphere Project 2004a: 5). For most in the field, Sphere is synonymous with its handbook, the *Humanitarian Charter and Minimum Standards in Humanitarian Response*, which seeks to compile the combined knowledge of the sector in the area of disaster relief. This knowledge is grouped thematically according to minimum standards, such as "Nutrition" or "Clothing and Bedding." Minimum standards

are intended to be universally applicable; they are supported by key actions, key indicators, and guidance notes, which are often context specific. For instance, safe and equitable access to a sufficient quantity of water is a minimum standard; a key indicator notes that average water use by a household is 15 liters per person per day (Sphere Project 2011c: 97).

The majority of the 393 page handbook is devoted to minimum standards. The premise is that the handbook is a reference guide for best practices in an emergency response situation. The handbook is prefaced the Humanitarian Charter, which enshrines agencies' ethical obligations and is based in international law, human rights, and the RC/NGO Code of Conduct. The Code is included as Appendix II.

Unlike the Code of Conduct, Sphere was specifically created with an institutional focal point, housed at the International Federation of the Red Cross (IFRC) in Geneva. It consists of a Head Office and Board and is supported by a voluntary network of trainers and agencies. The six staff at the Sphere Office disseminate information through the newsletter, website, and promotional materials; facilitate training through coordination and materials; and support translations and field deployments (Sphere Project 2010a). Though the Office lacks the ability for strong oversight – it is reliant on what people report back to it – the fact of having a focal point is seen by many as a crucial determinant to Sphere's success as it keeps the Project alive and provides cohesion, continuity, and a sense of legitimacy (Int. 31, Int. 32, Int. 43, Int. 45). An NGO representative put it thus: "Sphere would peter out if there was no external impetus. If there is no central point it will become everyone's responsibility and then it won't

happen. You need to have 'the person from Sphere' to be available" (Sphere Project 2004b: 41). The Project is overseen by a Board, composed of 18 agencies and alliances, including some of the largest organizations in the world.[91] The Sphere Board meets twice a year and is responsible for financial resources, strategic direction, and overall priorities (Sphere Project 2009b).

In general, the institutional arrangements reflect priorities expressed in the Project's 2004 consultations: Sphere is independent of any one organization or donor, it is governed by a wide-ranging management committee, it has a central office with regional and national focal points, and funding comes from a mix of sources (Sphere Project 2004b: 10-11; 2004e ; 2004d; Int. 28).

Unlike other initiatives I study, Sphere has neither signatories nor members. Consequently, there are neither membership nor reporting requirements; agencies that implement Sphere are making a voluntary commitment to increasing the quality of assistance and improving their accountability to donors and affected populations. However, enforcement has been an enduring subject of debate. Though a compliance mechanism was initially envisioned, no consensus was reached, for reasons enumerated in Section V[92] (Sphere Project 1997). Thus, writes Peter Raynard, "one could argue that Sphere in itself is not an accountability mechanism but is rather a quality mechanism.

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[91] The board, as of February 2012, includes Action by Churches Together (ACT) Alliance, Aktion Deutschland Hilft (ADH), CARE International, Caritas Internationalis, InterAction, International Council of Voluntary Agencies (ICVA), International Federation of Red Cross and Red Crescent Societies (IFRC), International Medical Corps, Dan Church Aid / Lutheran World Federation (LWF), Office Africain pour le Développement et la Coopération, OXFAM International, Plan International, Policy Action Group on Emergency Response (PAGER), RedR International, Save the Children Alliance, Sphere India, The Salvation Army, and World Vision International (WVI)(Sphere Project 2011f).

[92] If there is one upside to the absence of a compliance mechanism, it is that it has encouraged broad buy-in and local ownership (Int. 31, Int. 32).

This is because it has as yet no inherent mechanisms for reporting performance by the agencies, of monitoring compliance of performance, or of imposing sanctions for lack of compliance" (Raynard 2000: 13). Sphere is hardly unique in this: the Tsunami Evaluation Coalition noted that *not one* of the quality codes introduced post-Rwanda had any real enforcement mechanism (Shenoy et al. 2007).

The Sphere Project has not remained static since its launch in 1997. It was recognized early on that the handbook must be constantly updated to remain relevant as a "living document" (Sphere Project 2002 ; 2004b: 6, 26). With each handbook revision, Sphere has widened its scope. One of the early figures explains: "What we had hoped was that we would start with the easy step and then when we got buy-in, the next round would be 'Let's build protection into this.' In a sense that did happen" (Int. 15, Int. 31). The 2004 edition expanded to include food security and process standards. Though the initial goal of the revision was consolidation, not expansion, rewrites ended up being more substantial than anticipated (Sphere Project 2004a ; 2007b: 4). This was repeated in the most recent revisions, which began in May 2009; "the revision process revealed that a number of issues needed particular attention and significant changes" (Sphere Project 2010e ; 2010b: 6). Thus, the new handbook now includes emerging issues like risk reduction, climate change, and urban settings. It increases attention to protection and education, both contested issues when Sphere was initially created.[93] Finally, it

[93] Protection was identified as a "gap" during the drafting stages (Sphere Project 1998, 1999 ; Darcy 2004: 115; see especially Young et al. 2004: 144). As for education, prior to 2011, there was robust discussion over whether it should be included, but no consensus that it was essential to relief operations. As a compromise, the Sphere team inaugurated the idea of 'companion standards.' These standards would be explicitly linked to the Charter and handbook, follow a Sphere-like consultation and field testing process, and use a compatible content, structure, and terminology. In October 2008, the Inter-Agency Network for Education in Emergencies (INEE) Minimum Standards were accepted as the first Companion Standards to

reinforces linkages between Sphere and other Q&A initiatives (Sphere Project 2010c: 5; 2010e; Int. 32).

The fact that the Sphere office even exists must be seen as another evolution. Project staff note that Sphere was started as temporary; "the expectation was that it would all be institutionalized in a few years and there would be no need for the office" (Int. 31). Early documents also emphasized its limited duration. In 2000, for instance, Sean Lowrie, Sphere's Training Manager, commented that "the philosophy of the final phase is not to create a self-perpetuating bureaucracy, but methodically to reduce activities, with the goal that the handbook will become sustainably integrated into the humanitarian system" (Lowrie 2000: 13; Sphere Project 2001a, 2000a). Consequently, the Project was organized in limited duration phases. Phase I (1997-1998) yielded the preliminary Sphere handbook and Charter. Phase II (1998-2000) focused on dissemination, debate, and implementation. Phase III (2000-2003) featured a piloting program by 20 agencies, the development of a training program, and further dissemination.

However, institutions have a way of enduring. The Sphere Project Management Committee extended Stage III until 2004 to provide time for promotion and to finish country level piloting. Following the extension, Sphere engaged in a widespread consultation process which found overwhelming support for the continuation of Sphere as long as necessary (Sphere Project 2004b: 9-14). A Sphere staff member relates, "I think the organizations really understood that you need to have this central point, a focal point, as it were" (Int. 31). On April 1, 2005, the Project became a permanent institution

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the Sphere Handbook (Sphere Project and INEE 2009: 5-8; Sphere Project 2010c: 7-8; Walker and Purdin 2004: 108-9; Int. 15, 31, 33).

and the Sphere Management Committee evolved into the Sphere Board (Int. 31, Int. 32). Thus, the Sphere Project is, in fact, no longer a project in the sense that it is no longer bound by limited duration phases.

Section II – Origins: From the Code to Rwanda

Sphere is generally portrayed as a direct response to public pressure following operations in Rwanda – specifically, as a response to the 1996 Joint Evaluation of Emergency Assistance to Rwanda (JEEAR) and the increasing threat of regulation by state parties. Rwanda is seen as a "turning point" for humanitarian organizations as it "increased the impetus to improve accountability within the humanitarian system as a whole" (Salama et al. 2001: 531; Van Dyke and Waldman 2004: 7). This narrative is fairly consistent with the Accountability Club understanding of self-regulation: facing pressure from principals (donors) to clean up their act, NGOs have strategically invested in quality initiatives to signal good practices (Gugerty and Prakash 2010).

It is apparent that, following Rwanda, the aid atmosphere had started to shift; NGO claims to be doing good deeds were no longer sacrosanct and the threat of regulation was real. I certainly learned in conversations with donors that they now actively promote standards and initiatives with "teeth" (Int. 55, Int. 56). However, as Maryam Deloffre has noted, Sphere was not simply a strategic response to donor pressure; principled aims figured centrally in the drafting of the initiative (Deloffre 2010). I do not want to argue that Rwanda was not critical to the thinking of Sphere's drafters. However, I *would* caution against a simple cause and effect explanation for Sphere. As I demonstrate in this section, Sphere was the product of a group of ideational

entrepreneurs pushing forward with a technical elaboration of the Code of Conduct. Rwanda's significance was three-fold: First, the experience of working on the JEEAR provided the template for a large scale, collaborative learning project and joined the team members together in a common mission. Second, it gave increased incentive for cooperation – Rwanda furnished the political will that was absent from the Code. Third, Rwanda, as an event, crystallized a set of impressions first voiced in the Code of Conduct: the field was in crisis, a victim of its own successful growth; there was a desperate need for standards. Rwanda was experienced as a crisis of legitimacy.

The Joint Evaluation of Evaluation of Emergency Assistance to Rwanda (JEEAR) was proposed by Denmark's development cooperation agency, Danida, in September 1994, just two months after the end of the genocide. A broad-based process led by a 38-member Steering Committee and supported by 52 researchers, it culminated in five reports published in March 1996, the third and longest of which addressed aid agencies (Borton 2004 ; RRN 1996 ; Eriksson 1996). Though the report found that the key failings in the international community's response "lay within the political, diplomatic and military domains rather than the humanitarian domain" (RRN 1996: 3), the evaluation of NGOs was strongly worded. The most direct recommendation to NGOs, number 11, called for, first, self-managed regulation by which members would be monitored in their compliance with codes and standards, and, second, an international accreditation system (RRN 1996: 23-4; Shenoy et al. 2007). It concluded that "the Rwanda experience indicates that it will not be enough to rely on voluntary adoption alone" (Eriksson 1996).

However, important as the joint donor evaluation was, Sphere's drafters have always perceived Sphere as an essentially internally-driven initiative (Int. 15, 31, 43; Lowrie 2000: 13; Walker and Purdin 2004: 104). The "Standards Project," as it was then called, was first proposed by Peter Walker (IFRC) and Nick Stockton (Oxfam) in February 1996, prior to the publication of the JEEAR reports. One of the Project's impetuses was the perception that the professionalization process begun by the Code of Conduct had stalled. As I noted in Chapter 3, the Code lacked an institutional focal point and measures to promote compliance. It was also felt that organizations needed practical guidance on the Code and that more needed to be done to delineate state responsibilities in crisis situations. Sphere thus emerged out of the Steering Committee for Humanitarian Response's (SCHR) desire for a "practical expression of the Code of Conduct" (Int. 31) and a "technical elaboration of the code of conduct" (Walker and Purdin 2004 ; Sphere Project 2007b: 6; 1998).

The first goal of the Sphere Project upon its launch was "to develop a humanitarian charter for people affected by disaster, in a style similar to the *Red Cross and Red Crescent Movement and NGO Code of Conduct*" (Sphere Project 1997). The Project thus draws an explicit line from the Code of Conduct to the Humanitarian Charter, and from the Charter to the Minimum Standards (Sphere Project 2010a). The perception of integral links between Sphere and the Code is shared among NGO staff, who describe Sphere as "building on the fundamental principles that are articulated in the Code of Conduct" (Int. 17) and, "if anything, the Humanitarian Charter is just the Code restated" (Int. 25). This is a clear example of the potential for codes of conduct to create

momentum for subsequent initiatives.

Like each of the cases I study, Sphere also demonstrates the importance of a core group of ideational entrepreneurs in advancing self-regulation. In the initial stages, the Project owed its success to the persistence of seven individuals representing seven of the largest aid agencies.[94] Among them, Peter Walker was a key figure in the Code of Conduct and Nick Stockton would later lead HAP International. Walker, Stockton, and their five co-collaborators had lengthy backgrounds in the sector and "understood and trusted each other, even if they did not always share the same views" (Walker and Purdin 2004: 103). That these people held positions of influence at major organizations was all the more crucial to their success. The first management committee, composed of 20 people from SCHR, InterAction, and later ICVA, VOICE, and the ICRC – the major networks of the humanitarian order – "became a close-knit group who all felt they had a personal stake in making the Sphere process work… It was a coming together of like minds to tackle a common problem" (Walker and Purdin 2004: 106-7; Int. 15). Staff at the Sphere Project reflected that "you had the right people in the right place at the right time. Try to repeat it now? It probably wouldn't fly, because the dynamics are totally different" (Int. 31; also Int. 32).

And so it was that, in February 1996, Stockton and Walker drafted a proposal to the SCHR called "Towards Quality and Accountability Standards in Humanitarian Relief." This became the Standards Project, later called Sphere (Walker and Purdin 2004: 103). The alliance of SCHR and InterAction was seen as critical as it gave Sphere

[94] Nick Stockton (Oxfam), Peter Hawkins (SCF), Peter Walker (IFRC), Miriam Lutz (ACT), Rebecca Larson (LWF), Karel Zelenka (Caritas Internationalis), and Graham Miller Ralph Hazleton (CARE International) formulated the first plans for the standards project and drove the process.

a foothold in the NGO centers of New York City and Washington, DC (Int. 32, Int. 15). Sphere was, and continues to be, a process unique in its breadth and consultativeness; one of the initial goals was that the Project achieve a high degree of ownership across the community (Sphere Project 1997, 2000a ; Freih 2000: 7; Gostelow 1999: 318). It intentionally began with those who *wanted* to be a part of it and not those who *should* be a part. One of the central figures called it a "coalition of the willing," joking that "Rumsfeld stole it [the expression]!" (Int. 15).

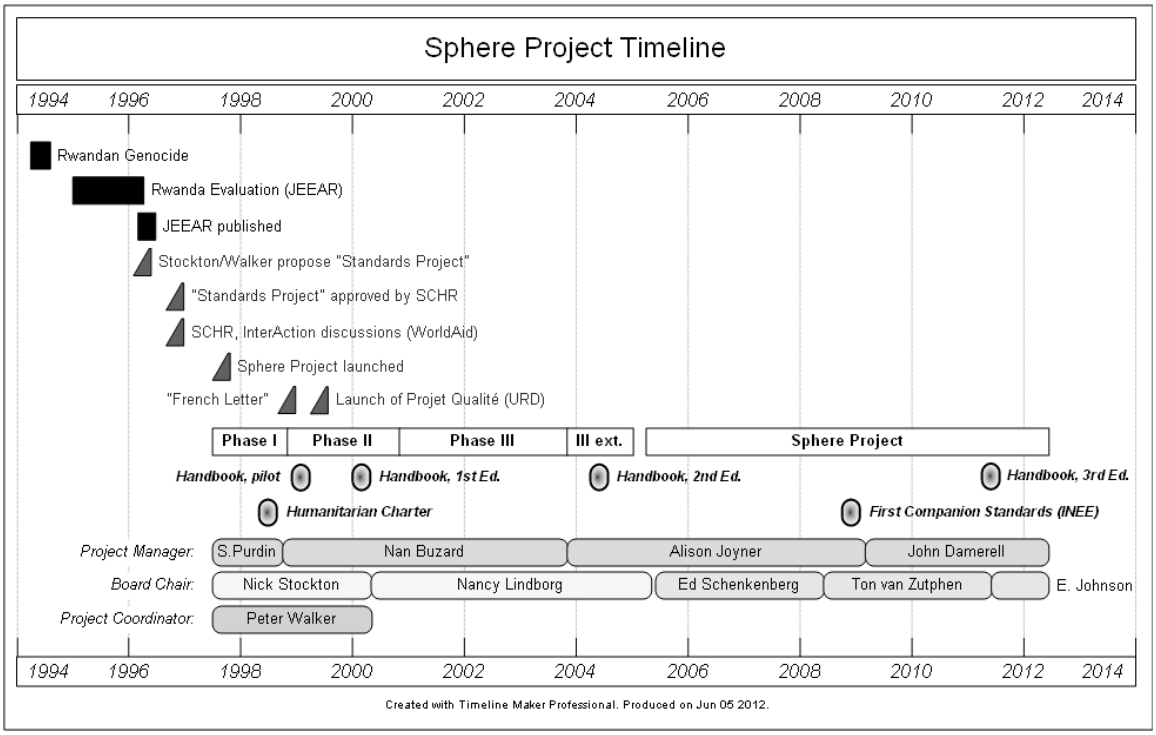

Figure 5

Consider the handbook: the first edition (2001) was the result of the efforts of 641 individuals from 228 organizations (Sphere Project 1998 ; Walker and Purdin 2004: 108). With the second edition (2004), thousands of individuals in 80 countries representing more than 400 agencies participated in the process. With the 2010 edition,

more than 650 experts from 300 organizations were involved (Sphere Project 2011b). The impact of the process is clearly apparent in interviews, as nearly to a person NGO staff spoke favorably of the "process," "breadth of input," "consensus," and "respect" engendered (Int. 16, Int. 17, Int. 25, Int. 28). Buy-in was also intended in funding arrangements – contributions initially came from 20 OECD countries, with USAID and ECHO as the largest donors (Walker and Purdin 2004: 107).

None of this is intended to minimize the impact of Rwanda on the sector and on Sphere, but it does help to situate Sphere as part of a professionalizing project that dated to the Code of Conduct. Rwanda played a pivotal role in the Project's success. First, the JEEAR provided a powerful example (and an experience) of a large scale, collaborative process. Many Sphere drafters were involved in the Rwanda evaluation, sharing the experience of working together in a broad-reaching project (Walker and Purdin 2004: 104). "The Rwanda situation gave opportunity to all of these people to sit together and say, 'Hey look, we've been talking about this for a long time.' So it gave that forum" (Int. 31). Sphere ultimately borrowed key aspects of the JEEAR approach, including the management committee concept and teams of researchers.

Second, as accountability club scholars suggest, the evaluation gave the Project a strong boost, in part by raising the specter of external regulation of NGOs. NGOs turned to the development of professional standards for reasons that include increasing public and donor scrutiny and their own growing dissatisfaction with their performance (Borton 2004 ; Van Dyke and Waldman 2004: 21; Walker and Purdin 2004; Int. 34). The shortcomings of agencies were more under the public spotlight than ever and agencies

increasingly realized that perceived wrongdoing by one agency could affect the reputation of the entire community (Buchanan-Smith 2002: 40; Sphere Project 1998 ; Freih 2000: 6). The fallout from Rwanda helped create a sense of urgency within in the NGO community. As one of the framers recounted:

> We basically said, 'Look, if we don't do something we're going to have these major donors supplying standards and saying 'you must comply to these standards' or we're going to have other people's standards applied on us.' And, actually, if we do this right, it's a real opportunity for NGOs to – we could already see this trend of instrumentalization... This is a chance to kick back (Int. 15; also Int. 27).

Van Dyke and Waldman confirm this in their independent analysis of Sphere: "there was a general consensus among those interviewed that this perceived pressure from the donors made it more urgent for the NGOs to develop their own set of standards – they preferred to regulate themselves rather than have regulation imposed" (2004: 21). This impulse – to self-regulate in order to stave off external regulation – is noted in other accounts as well.[95] However, as Nick Stockton has stated quite clearly, "the major donors have never driven Sphere" and Sphere's governance has "deliberately excluded" the representatives of all bilateral and multilateral agencies (Stockton 2004: 3).

Third, as I outline below, Rwanda crystallized for many in the field the perception that humanitarianism was in crisis amidst growth, competition, and increased politicization. Sphere is fundamentally a response to a crisis of legitimacy in humanitarianism, namely the belief that good intentions are no longer sufficient as a basis for action and the realization that relief assistance can have both a positive and negative

[95] Several interviewees called Sphere a "response by NGOs to regulate themselves before they were regulated by donors" (Int. 33, Int. 15). See also (Buchanan-Smith 2002: 45; Walker and Purdin 2004: 101; Gostelow 1999: 317).

impact on affected populations (Sphere Project 2004a: 12, 35). The environment within which humanitarianism was embedded had shifted; the belief was that humanitarianism itself was at risk of being seen as illegitimate. The IFRC writes:

> Increasingly, in the late 1990s, agencies working in emergencies have been battered by accusations of poor performance, and depicted as competitive corporate entities driven more by funding than humanitarian imperatives. Aid stood accused of fuelling conflict. Charity's role was challenged. The problem was less one of compassion fatigue as of compassion discredited (IFRC 1999 ; also IFRC 1996).

As a Geneva-based sector veteran reflected, "the lack of legitimacy of the sector was an issue" (Int. 34; also Int. 45, Int. 53). By 1997, this perceived crisis was evoked by the IFRC's *World Disasters Report*, which referenced the "crisis in confidence" and "moral crisis" experienced by the sector (IFRC 1997: 9). With Sphere, agencies started to focus, not just on motivations, but also on end results; the Sphere handbook places strong emphasis on the "do-no-harm" principle (Sphere Project 2010e).

Section III – A New humanitarian order

The Sphere Project was more than a simple reaction to donor criticism; it was also more than a technical "how to" guide. Sphere's technical guide, I find, was a vehicle for shifting the bases of legitimate humanitarian action, especially from understandings of the endeavor as volunteeristic and rooted in charity and good deeds.

Sphere emerged out of a belief that good intentions were not sufficient as a basis for humanitarian action. Training materials explain that "practices that have been carried out in the past are no longer enough" (Sphere Project 2008c: 10). In the words of the first Training Manager, Sphere signifies that "the humanitarian community has matured since

the days of the stereotypical 'aid cowboy'. References to analysis, capacity-building and participation throughout the handbook reinforce this depth and maturity" (Lowrie 2000: 12). Notes George Weber, former Director General of the IFRC, "by offering assistance in an organised and pre-planned manner, which goes beyond the spontaneous compassion of the individual, we in effect accept the responsibility to disaster victims to behave and act in a professional manner" (Sphere Project 1998 ; also IFRC 1996: 7). Sphere signified a re-casting of humanitarianism in two ways: first, through the framework, based on a reformulating of humanitarianism as a professional, regulated, and technically proficient endeavor; second, in its ethical sources and justifications, derived from human rights and international law.

First, as I have noted in earlier chapters, self-regulatory initiatives appear in a historical moment in which humanitarianism is shifting from an identity based in volunteerism and "doing good" to rule-guided professionalism. Sphere's Salama, Buzard, and Spiegel describe the move to develop standards for humanitarian response, of which Sphere is a major part, as "another positive step in making the humanitarian sector more professional and more effective" (Salama et al. 2001: 531; Int. 15). Sphere is also described by itself and its proponents as rooted in professional trends (Sphere Project 2001a ; 2008c: 5). As George Weber, then Director General of the IFRC, noted in 1998: "This is new. We have never had such a benchmark before" (Sphere Project 1998).

The importance of professionalism and standards came out repeatedly in my interviews. Sphere Project staff called the Rwanda evaluation "a shake to the system as a whole, and it put in evidence that there was a gap in professionalization" (Int. 32).

Another Sphere veteran described the Project as a "framework for professionalizing the sector" (Int. 33), and a veteran American practitioner emphasized the shift, led in part by Sphere, from old guard amateurism to new guard standards (Int. 43). NGO staff commented similarly. An Irish aid worker called it "an enormously useful framework for professionalizing our humanitarian response and moving away from the notion that good intentions are enough"[96] (Int. 16) and a colleague spoke of the "general acceptance in the sector that we need to be professional" (Int. 17).

Indeed, the Sphere handbook demonstrates just how much the humanitarian enterprise has shifted from ad hoc actions and [sought to] become rationalized and measurable. Sphere's claim is that without the qualitative and quantitative indicators, tools to measure impact, Sphere's universal standards "would be little more than statements of good intent, difficult to put into practice" (Sphere Project 2004a: 8; 2001a). In the 2011 handbook, chapters on health action and water are especially data and measurement heavy. They reflect a preoccupation with data, evaluation, and measurement, manifested in the idea that actions should be "based on the principle of evidence-based practice" (Sphere Project 2011c: 310).

It is highly symbolic that a team of Sphere trainers and the Project office helped commemorate the 150th anniversary of the Red Cross Red Crescent movement at the site of the Battle of Solferino (Sphere Project 2010d: 13; 2010b: 17). The act of commemorating the birth of modern humanitarianism by putting on a series of exercises

[96] He continues: "That's not to say that an amateuristic approach was necessarily a bad thing, but I would firmly believe that the professionalization of the sector can only be a good thing, particularly with regard to accountability, ensuring that funds are used, or that we get the most out of funds that we have, and ensuring that we reach the widest number of people in the most appropriate way" (Int. 16). In other words, the amateur approach was not necessarily failing; the professional approach was seen as more acceptable.

with Sphere technical standards and key indicators is indicative of the shift in humanitarianism from Dunant's simple moral compulsion to technique and professionalism.

Second, Sphere was the first major initiative to openly advocate for a rights-based approach to humanitarian assistance.[97] This reflected the concern that basic human rights of those in crisis and conflict are frequently not upheld (Sphere Project 2001a ; Walker and Purdin 2004: 105). As one of the key figures noted, "we always thought about it in terms of entitlements – what should victims be entitled to expect in terms of competence from agencies?" (Int. 15) Columbia University's independent evaluation noted that this was an "important revision of the traditional basis of relief," in that assistance is reformulated as an obligation, not as an act of kindness. "Only assistance that allows those affected by disasters to re-establish a 'life with dignity' is acceptable; good-hearted generosity and charitable contributions may be necessary, but they are not necessarily sufficient" (Van Dyke and Waldman 2004: 4). Thus, the evaluation continues, "to many of the framers of the Project, the adoption of a rights-based approach to humanitarian assistance represents a fundamental and drastic revision of the philosophy underlying emergency relief that prevailed prior to 1994" (Van Dyke and Waldman 2004: 7). Training materials underscore this philosophical shift by devoting entire segments to human rights and international law (Sphere Project 2008c: 8, 80-131). In part, this was a system-wide acknowledgement that most humanitarian organizations are already doing

[97] Sphere claims that the rights based approach had "never been so explicitly stipulated" (Sphere Project 1998). International human rights law and refugee law deeply influenced the Project; the handbook itself was actually designed in consultation with HR specialists (Sphere Project 2003a, 2011c). The Sphere Project describes itself as "putting rights into practice in disaster response" (Sphere Project 2010a, 2008c ; Young et al. 2004).

'rights based' work in their projects; indeed, Sphere's 2004 consultations found significant support for this approach (Sphere Project 2004b: 10; 2008c: 125).

The handbook is heavily influenced by human rights, from the Charter to the Standards. Every chapter begins with a discussion linking the chapter theme to international law. For instance, Chapter 2 of the 2011 handbook, on Water, Sanitation and Hygiene Promotion, asserts that "everyone has the right to water and sanitation" and that the right to water is "inextricably related to other human rights," including the right to health, housing, and adequate food (83). It notes that the standards in the chapter are not a full realization of the rights in question but contribute to their "progressive realisation" globally. The handbook emphasizes its bases in international law, which is a claim to regulatory legitimacy.

Thus, far from being a mere technical guide – a collection of uncontroversial humanitarian knowledge, as it were – Sphere represented an attempt to enact an altered humanitarian identity. In the Sphere vision, humanitarianism has broken from its amateuristic, charitable past to embrace rules, professional standards, and human rights. Put differently, the technical guidelines are a vehicle for a *constitutive* project, for re-defining humanitarianism. This ambition is illustrated in the Project's own publications over the years, including:

- That Sphere has "the task to define a principled and practical framework for humanitarian action" (Sphere Project 1998);
- That the Minimum Standards are "relevant to everyone with a legitimate claim to assistance in disaster situations" (Sphere Project 1999);
- That "Sphere needs to continue to transform itself from a project into the core of civil society" (Sphere Project 2009d: 4);
- And that the sector "adopt Sphere as its collective heritage" (Sphere Project 2010c: 8).

In other words, Sphere's intent has been to define the practice of humanitarianism itself. Thus, James Darcy writes that though Sphere provides some basis for judging agency performance, its "more important function is arguably to provide a basis for defining a common agenda and a set of criteria for gauging collective performance" (Darcy 2004: 120). It is a technical project, but a constitutive one as well.

I have argued in previous chapters that self-regulation's power arises from its potential to define the rules and the accepted knowledge of the humanitarian game. Indeed, Sphere seeks to become the very *language* of humanitarianism. The Project and its proponents repeatedly claim that the handbook has "established a common language,… and thereby, has established a coherence and commonality of purpose, which transcends individual institutional, organisational, or national interests" (Sphere Project 2001b ; Freih 2000: 7; Lowrie 2000: 11; Gostelow 1999: 322). Says one NGO worker, Sphere "transcends language and communication barriers and facilitates working in multi-cultural environments" (Sphere Project 2009b: 5; Int. 45).

The claim to represent humanitarian consensus and speak to universal standards is part and parcel of this.[98] Sphere's standards are described as "qualitative in nature, and are meant to be universal and applicable in any operating environment" (Sphere Project 2004a: 8; Lowrie 2000: 12). This was the ambition from the beginning. In Phase II, Sphere stated: "The Sphere Project believes that just as the human rights that underlie the standards are understood to be universal, so do the minimum standards themselves aspire to be universally applicable" and the Project sought to push agencies "towards

[98] Sphere claims to represent the "collective will and shared experience of a broad array of humanitarian actors" (Sphere Project 2011d, 1998).

using universal norms" (Sphere Project 1999). So strong is the claim that the training materials even challenge participants to find minimum standards that are "NOT universal" in their handbooks (Sphere Project 2008c: 14).

Section IV – Contesting Sphere

If, post-Rwanda, the perception was generally shared across the field that something needed to be done to improve humanitarian response, it was by no means a foregone conclusion that the output would resemble the Sphere Project. This section highlights the contingency of Sphere – the argument that it represents one possible articulation of humanitarian action – and explores the criticisms leveled by a set of largely francophone NGOs that objected both to specific aspects and to the Project's broader philosophical framework. What ensued was a battle over the meaning and direction of the field, waged through self-regulation.

It is important that we recognize from the outset that differences over Sphere did not derive from an entirely different reading of the environment. French agencies recognized that, to quote Diderot, "Il ne suffit pas de faire le bien, il faut le bien faire" (qtd. in Dufour et al. 2004: 124; also Int. 52); in other words, they too recognized that good intentions were not enough. The experience of Rwanda was as apparent for them as for the Sphere drafters, but the objectives for reform were felt differently. Nor would it be accurate to reduce the debates to a battle between amateurs and professionals, with Médecins Sans Frontières (MSF), Groupe URD, and other French agencies cast in the role of amateurs. As a HAP staffer assured me, MSF is quite professional and

accountable in its own way (Int. 11). Rather, the debate was rooted in broader philosophical understandings about the nature and provision of humanitarian assistance.

MSF participated in Phase I of Sphere, which compiled technical information, out of "our responsibility to transmit our technical experience" and with "a view to ensuring that these standards would be in line with our practices" (SanJuan 2003 ; Tong 2004 ; Sphere Project 1998). However, it did so with clear reservations, and did not hesitate to defend its interests. Most memorably, in 1998, the major French agencies sent a letter – the so-called "French letter" – threatening to derail the Project if language on accreditation remained in the handbook.[99] Four years later, on October 11, 2002, MSF withdrew fully from Sphere (SanJuan 2003).

MSF and Groupe URD were not the only groups concerned by Sphere, but they were certainly the most vocal. Their concerns were not generally about the *contents* of the standards – French agencies had helped develop these – but about the philosophy behind Sphere, the broader significance of having technical guidelines, and the risks of political actors hijacking the standards.[100]

The most widely and consistently voiced objection was that Sphere overemphasized technical proficiency to the detriment of humanitarian principles. MSF's James Orbinski warned of the "risk that humanitarian action may simply become a technical and purely professional pursuit;" for MSF, humanitarian action is both

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[99] This was recalled by key Sphere figures, who explained that "it actually got to the point where we had a letter from MSF saying if you leave those pages in – and InterAction saying – we will leave the coalition and we won't fly. This was brinksmanship, this was literally two days before the press release. We said better 90% than nothing, so we took that stuff out" (Int. 15, 33; see also Walker and Purdin 2004: 109; Buchanan-Smith 2003). A member of Groupe URD had a slightly different recollection: a draft was presented that had never been seen before (Int. 52).

[100] (On the debates, see Hirsch 2008 ; Gostelow 1999: 319-21; Dufour et al. 2004: 126; Walker and Purdin 2004: 106; Van Brabant 2000 ; Grünewald et al. 1999 ; Grünewald and de Geoffroy 2000).

medical action and temoignage, "and depends vitally on volunteerism and proximity" (qtd. in Sphere Project 1998). Fiona Terry, another MSF veteran, noted that technical standards can shield individuals from attention to difficult ethical issues (Terry 2000: 20). As an MSF-France veteran put it, "the issue in Rwanda was not 2 liters of water; it was politics" (Int. 47; also Int. 52). Others were concerned that the Humanitarian Charter was marginalized and principles neglected,[101] that agencies emphasizing immeasurables like solidarity and compassion would be left out of funding, and there was no place for non-action (Dufour et al. 2004: 127-8; SanJuan 2003 ; Hirsch 2008: 30; Tong 2004: 182).

For the opponents of Sphere, the Standards were also seen as prescriptive and inattentive to context.[102] One of the perceived shortcomings was that "main measures apply only to ideal situations in relief camps" and that standards impede adaptation in more complex situations, as such decisions require experience and professional acumen (Griekspoor and Collins 2001: 740-2; Dufour et al. 2004: 133). In the words of an MSF-Belgium staffer, MSF prefers a medical perspective to crises: "diagnoses vary from situation to situation; every context is different" (Int. 58). MSF thus has an "allergic reaction to this [Sphere's] dogmatic framework." Similarly, for Groupe URD: "We believe that there is no one-size-fits-all standards, there is no universal standards – that

[101] James Darcy, who led drafting of the Charter, has written that this line of critique rests on the presumption that the Charter is an afterthought. Yet, he writes, "Sphere is clearly intended as more than a manual of good humanitarian practice" (Darcy 2004: 112-3; also Int. 57). At the same time, there is evidence that, often, technique may trump values. For instance, in Pakistan during the 2005 earthquake response, a UN official reported that "the colonels started stealing our lingo and quoting IASC policies and Sphere standards" but understood Sphere "as practical guidelines and standards, and not as humanitarian principles" (Sphere Project 2008a: 2). Moreover, the 2004 Sphere external evaluation found that only 14.1% of respondents used the words "rights" (or variants) to discuss Sphere's purpose; most mentioned standards and indicators (Van Dyke and Waldman 2004: 32; also Int. 43).

[102] Sphere repeatedly emphasizes that the handbook is not a 'how to' manual and that much depends on context (Sphere Project 2004a: 7; 2001a: 19; 1997). Still, a Sphere proponent conceded that "Sphere has a tendency to be one-size-fits-all – there's your minimum standards; attain them or you fail" (Int. 25).

doesn't work… I don't use the same references if I'm in a cold, wet climate as if I'm in a dry, hot climate" (Int. 52). Moreover, without a hierarchy of principles, the handbook fails to provide guidance on what to do in sub-optimal situations, meaning that almost any action could be justified (Terry 2000: 20; Tong 2004: 182-3).

In addition, these agencies questioned the relationship of international law with Sphere. Groupe URD's Dufour et al suggested that the legal foundations of the Charter were weak and inconsistent and others feared that Sphere's interpretation of international law had shifted ultimate responsibility to act from states to NGOs, and from NGOs to affected populations (Dufour et al. 2004: 127-8; Griekspoor and Collins 2001: 740; also Int. 47). As Terry put it:

> It is not the NGOs that deliver Gatorade athlete's drinks to Goma, drive a truck full of blankets to Bosnia, or even accept an armed escort to deliver food in Sierra Leone that pose the greatest problems to humanitarian operations today. Rather, it is the indifference of powerful states to the plight of civilian populations in areas deemed outside their sphere of interest… From Sphere, through the codes of conduct and finally to the Ombudsman, the onus of responsibility for assisting vulnerable people shifts from states to humanitarian organisations, and finally to the victims themselves (Terry 2000: 21).

In fact, the French agencies feared that Sphere actually gave states a tool for the co-option or control of legitimate humanitarian action (Terry 2000: 21; SanJuan 2003 ; Tong 2004: 183; Grünewald et al. 1999). As I note below, this has happened, to an extent, with funding requirements.

Finally, critics charged that Sphere was created by Northern NGOs and "reflects the logic of certain industrialised countries… The standards risk weakening aid agencies from the South and East in their capacity to find original responses to crises" (Dufour et al. 2004: 126). Sphere's priorities drive from a particular culture with specific values and

practices, essentially exemplifying "the concerns, priorities and values of technical professionals" (: 136).

Taken together, these critiques reflect deeper concerns over "the very foundation of Sphere's approach" (Dufour et al. 2004: 127) and a certain ambivalence with rule-making and codification, in general.[103] As Groupe URD's Dufour and her co-authors ask, are we seeing "professionalism at the cost of humanitarianism?" (Dufour et al. 2004: 137). These critiques imply a recognition of the social and normative aspects of Sphere: in defining practice, Sphere would, at least in part, define humanitarianism.

What is the alternative to humanitarianism à la Sphere? For MSF-UK's Jacqui Tong, MSF's objections derive from the different "philosophical underpinnings, different political and cultural origins and typologies of NGOs" (Tong 2004: 177). Tong rejects the notion that all humanitarian organizations are the same and explains that MSF comes out of a Dunantist tradition that prioritizes independence from government, politics, and religion. On the other hand, organizations that are Wilsonian and multi-mandated are amenable to work with governments and "inherently more willing and able to embrace the Sphere Project as it articulates rights that must be considered with project implementation and it incorporates aspects of developmental orthodoxy" (Tong 2004: 179-80). MSF and URD's arguments "reflect the views of part of the humanitarian community which is equally rooted in the field and strongly inspired by the ideal of Henri Dunant" (Dufour et al. 2004: 125; see also Stoddard 2002 ; Barnett 2009). This

[103] For Terry, of MSF-France, once principles are written down as rules, "they are no longer a tool of reflection, but become ends in themselves" (Terry 2000: 20). Similarly, SanJuan feared that the Sphere Standards would come to "constitute a bible of pre-established norms to be respected at any price and in all circumstances" (SanJuan 2003).

exemplifies Bourdieu's argument that competitors in a field often lay claim to representing its source and authentic nature (Bourdieu 1993: 74).

This contest was not just rhetorical, confined to practitioner publications. It also had real material consequences because it implied a shift in the relative values of particular types of capital – from conviction and contextualism to professionalism and rule-following. Today, Sphere is very much accepted and expected by institutional donors, so there are significant costs to not signing on. For instance, detailed use of the Sphere Project or Sphere-like standards is required in project proposals, such as for OFDA, DFID, and ECHO. ECHO staffers confirmed that Sphere plays a significant role for the funding agency in proposal assessment and discussion and that it is held in high esteem. Every ECHO expert has Sphere training (Int. 49, Int. 55, Int. 56). The Disasters Emergency Committee (UK) also requires that its grantees adhere to the Sphere Standards and the Charter (Van Dyke and Waldman 2004: 54). Sphere Project staff note that donors now "expect you to refer to Sphere and to unpack it, to be able to defend why you're doing it, and when they're doing their monitoring, when they're doing their evaluation, they clearly take it up"[104] (Int. 31).

Sphere's French opponents recognized the stakes: Groupe URD's 2000 annual report describes URD's *mobilisation* against Sphere, the creation of the Projet Qualité initiative as a "political instrument" ("outil 'politique'") against Sphere, and the uphill battle against a Sphere Project that had "used our logistical weakness to lobby at the United Nations" (Groupe URD 2001: 6, 11). A key URD figure recalled: "It *was* a bit of

[104] At the same time, the Sphere Project has been very strong to push back from donors insisting that agencies use Sphere, which is why a lot of them specify 'Sphere-like' standards (Int. 33).

a *lutte* [struggle]. It was a *lutte* between two philosophical approaches and two scientific approaches" (Int. 52). Indeed, URD's own quality initiative, Projet Qualité, was created "in direct opposition to Sphere and the Ombudsman project" and emphasizes context and learning rather than accountability (Van Brabant 2000 ; Grünewald et al. 1999 ; Groupe URD 2001). Since 2004, French agencies have largely operated outside of Sphere.[105]

As a key Sphere figure recounted, "the debates were about positioning" (Int. 57). He suggested, as did others, that there was a good deal of "talking past each other" during this stage (Int. 57, Int. 15, Int. 53). However, this does not mean that the critiques were without merit. It is worth noting that the charge of Sphere's "northern-ness" – which suggests that there is more than one possible humanitarian identity – has dogged the initiative from the beginning. Sphere undoubtedly *is* a Northern initiative launched by the major NGOs, and there are certainly examples of it being imposed on Southern NGOs through partnership arrangements. Sphere Project staff have acknowledged that the global governance of Sphere is a "stumbling block" because it is still regarded as being big Western organizations (Int. 31). A former Sphere staffer called the board a "club of rich organizations who could afford to pay and afford to use the project in their organizations… The board has become too insular, in my opinion" (Int. 33). A British sector veteran suggested that:

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[105] Sphere Project staff report engagement outside of MSF-France, noting that "other MSFs are more receptive until they come to the point of, how to say it – then they're brought in line by MSF… But again, I think with a lot of the MSFs and Médecins du Monde and others, they are facing Sphere every day in their day to day work, so informally it's being used" (Int. 31, Int. 33). Veterans of MSF-France and Belgium agreed: "Of course we use it – it's a useful tool" (Int. 47, Int. 58). That said, the disparity between Anglo and French use of Sphere is reflected in handbook figures: of the first 30,000 copies sold or distributed of the 2011 Handbook, 17,600 copies were in English compared to 2,800 in French; of handbook downloads, 89% were in English compared to 4% in French (Int. 63).

> [Sphere] has been used to some extent by big organizations with huge resources to crowd out small organizations… It has done this partly by simply saying that there are these standards and frightening donors with the idea that if they go directly to some local organization, 'Oh, these people won't know what to do and won't keep up to standard.' So I think they kind of recreated the whole club thing. There's only a small group of really large organizations with these big resources… Sphere, the trouble is, the rules apply to everyone – they were made up by a club, but then the rules apply to everyone else… I suppose it also created a certain unfairness in that the big INGOs like Oxfam and so on would ultimately always use this argument that Sphere is a sort of ideal and if we didn't reach it's because the EU didn't give us enough money. Whereas if the local organizations didn't provide 20 liters they'd be saying, well, this is because you're incompetent [laughs] (Int. 27).

Similar sentiments came up in other interviews as well.[106] One can thus understand the initial fear by some that Sphere was an effort by the large NGOs to marginalize Southern NGOs or punish small and new NGOs "since many of them are (held) responsible for making a mess of the Great Lakes in '94" (Sphere Project 1998).

At the same time, from the beginning, Sphere has made a concerted effort to engage with Southern agencies and recognized the need to "demonstrate that the need for standards is universal, not just Anglo Saxon" (Sphere Project 2004b: 54; 2000a ; 2001a: 18). Even today one of the strategic objectives is to strengthen the diversity and regional balance of the Sphere governance and implementation (Sphere Project 1997, 2011d). Eight of the twenty initial pilot agencies were from the South and the pilot phase demonstrated, according to Sphere staff, that smaller organizations were actually better

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[106] One Irish aid worker, asked about cartelization and Sphere, remarked: "I think in sudden onset emergencies it's not necessarily a bad thing. I'll be perfectly honest. Because I think in a situation like the response to the tsunami or the response to Haiti, you need big, professionalized humanitarian agencies that are speaking to each other. What you do not need are a plethora of smaller organizations heading off on the wrong foot… I'll be pretty blunt on that" (Int. 16). Another staffer noted that in early responses, you need agencies acting according to predetermined standards; you don't need inexperienced actors "arriving in Haiti having never been there before, not speaking the language, knowing nothing about it, with sixteen trucks of blankets, you know, and it's baking hot. And that happens" (Int. 17). A former Sphere staffer added that the non-inclusion of the UN from the beginning opened it up to criticism that it was a cartel (Int. 33; see also Smith 2005).

able to institutionalize Sphere Standards because it was easier to get everyone on board (Int. 32, Int. 31). Active Sphere groups exist in Honduras, El Salvador, Bolivia, Indonesia, India, Pakistan, and Kenya and engage in trainings and spread of the Standards (Sphere Project 2010b: 5, 12). A Catholic Relief Services veteran explained that, in her experience, "Sphere has actually empowered partner agencies," by demystifying humanitarian assistance (Int. 43).

Still, the charge of Northern-centrism is a point worth pursuing. It suggests that, in real ways, control of Sphere, and hence over an important metric of humanitarian identity, has been in the hands of a group of large Northern NGOs and that simply adding Southern representation to a pre-constituted initiative does more to legitimize its mission than to challenge it. Institutions are not neutral. Moreover, large INGOs exercise considerable power when they incorporate the Sphere Standards into their partnership agreements with implementing organizations, as done by ActionAid International (Sphere Project 2007b: 6), Trócaire (Int. 16, Int. 17), and Concern (Int. 25), among many others. For Concern, for instance, Sphere is "predictive, and it's prescribed. If you're going to work with Concern, if you're going to be a true partner of Concern, and responding to emergencies is part of the mandate or brief, then Sphere would form part of the training" (Int. 25). It is thus no accident that, early on, "despite the Sphere project's cooperative, collaborative and consultative mission, to many in India and South Asia as a whole it remains an 'outside', 'Western' and 'top-down' idea" (Bhatt 2000: 15).

Section V – Assessing the Project's impact

Compared to the Code of Conduct, which has only rarely been used in project

evaluations, Sphere's clear technical indicators have lent themselves quite readily to post-operations analysis. Despite this, the question of Sphere's practical impact has been difficult to resolve. One reason is that most studies have been conducted by Sphere or by agencies as self-assessments. The most extensive independent evaluation, conducted by Columbia University's Van Dyke and Waldman in 2004,[107] found it difficult to attribute characteristics of humanitarian assistance to the Sphere Project alone, given the nature of the sector. As I discussed in Chapter 1, this is hardly unique to Sphere; the multivariate nature of humanitarian response often prevents a full accounting of impact. Moreover, as the Columbia University study explains, the lack of before and after data makes a time based comparison impossible.

Consequently, though I provide some compelling evidence of effectiveness, my focus is mostly on the extent to which Sphere – and the Sphere ethic – has been adopted by actors in the humanitarian field. I find that Sphere has had a deep, if perhaps uneven, impact. Figures on training, handbook distribution, and website access testify to its wide reach; interviews and document analysis confirms its popularity. And, though concerns about compliance endure, I cite evidence of widespread adoption and institutionalization. As Van Dyke and Waldman found, "one of the most remarkable achievements of the Sphere Project is the degree to which it has penetrated and influenced humanitarian practice" (Van Dyke and Waldman 2004: 38-9). Indeed, one of Sphere's most fundamental impacts has been in defining the rules, practices, and governance of the humanitarian field.

One indication of Sphere's impact on the sector is undeniably the number of

[107] The study was based on 550 responses, 80 in-depth interviews, and two case studies.

actors and organizations actively involved in the Project. The 2004 handbook revisions involved the active participation of over 400 agencies in 80 countries (Sphere Project 2004a). The 2011 revisions were equally consultative, with one of the Sphere Project staff joking that they were "a victim of our own success" inasmuch as everyone wanted to participate (Int. 31). In the words of one of the initial figures, Sphere has "taken on a life of its own" (Int. 15); another called it a "self-moving project" (Int. 28). The demand for training is a case in point: with the handbook launch, Sphere anticipated holding two, perhaps three, trainings of trainers (ToTs) during Phase III (2000-3). By January 2003, it had held *seven* ToTs and demand far outpaced supply[108] (Sphere Project 2000a, 2001b). By mid-2007, 15 ToTs had been organized (Sphere Project 2007b: 16).

Although ToTs are generally organized by the Sphere Office, the vast majority of all training in Sphere is conducted by other actors, particularly by NGOs and the Red Cross Red Crescent Movement. In 2009, for instance, just 1% of all events were conducted by the Sphere Project (Sphere Project 2010d: 6). This speaks to the enormous buy-in by the humanitarian community. In 2005 alone, at least 439 training events were held, reaching over 5434 people (Sphere Project 2005). In 2008, 423 Sphere training and learning activities took place in at least 73 countries on 5 continents with over 11,000 participants (Sphere Project 2009c). In 2009, 448 training events, including 7 ToTs, took place in 76 countries over 4 continents with over 9,000 participants (Sphere Project 2010d: 4). In 2010, 339 Sphere learning activities took place, on all five continents, reaching roughly 8,500 people (Sphere Project 2011e). Trainings are critical for

[108] Over 120 applications were received for 30 participant slots in the first ToT (Sphere Project 2000a). For subsequent ToTs, applications came in at 5x the available space (Sphere Project 2001b).

informing on the deeper sources of the handbook: "After attending a training course, many reported that they 'finally get it'. What they get is, in fact, an appreciation for the rights-based approach and the particular concepts of humanitarian assistance that underlie the Sphere Project" (Van Dyke and Waldman 2004: 29). Training, then, is also socialization into the Sphere way of thinking.[109]

Sphere's reach is also highlighted by the distribution of its handbook, the *Humanitarian Charter and Minimum Standards in Humanitarian Relief*. Again, demand has far exceeded expectations. The first English language print run (14,000 texts) in 2000 was expected to last through the end of the year; after one year, 20,000 handbooks had been sold (Sphere Project 2000b, 2001b). By November 2003, 33,000 copies of the first handbook had been sold, making it "undoubtedly the most popular and probably the widest distributed, basic text in humanitarian assistance" (Van Dyke and Waldman 2004: 25; Sphere Project 2003b). In fact, the Sphere handbook has been Oxfam Publishing's highest ever seller (Sphere Project 2008b: 2). More recently, between April and December 2011, almost 30,000 copies of the 2011 Handbook were sold, distributed, or reprinted; during this period, roughly 20,000 copies were also downloaded from the Sphere website[110] (Int. 63). In 2004, in Columbia University's Sphere evaluation, 88% of the 550+ respondents reported having a handbook available to them and Sphere's 2004 consultations found that the handbook was widely regarded as the Project's most valuable product (Van Dyke and Waldman 2004: 25; Sphere Project 2004b: 5). Since the first edition, the Handbook has been translated into 43 different languages (Sphere Project

[109] A key figure recounted: "Sphere became real through the training. There was a huge appetite" (Int. 57).
[110] The entire 2004 guide had been downloaded more than 51,000 times; individual chapters ranged from 21,000 to nearly 28,000 downloads (as of 9 February 2011).

2011b), with the majority of these translations conducted spontaneously by NGOs.

Finally, the Sphere website has continued to be a popular resource. It debuted in 1998 with a first month total of 114 hits; 10 months later, the monthly number had increased to over 10,000 (Sphere Project 1999). During 2011, the site averaged 45,329 monthly page views (Int. 63). Though large gaps in data collection prevent a full analysis of trends, it is clear that the Sphere website has remained a popular portal for the community.[111] This speaks to the linkage function played by Sphere in the field; one of the hallmarks of a mature organizational field is a high density of inter-organizational linkages and a steady flow of information.

As these figures suggest, Sphere has been enormously popular in the sector. In fact, the 2004 consultations found next to no support for halting the Project.[112] Unfortunately, since Sphere is not a membership organization, it is not possible to provide similar figures on institutionalization. Such data as exists is more suggestive than definitive. For instance, the 2004 Sphere evaluations found that nearly 2/3 of survey respondents had attended interagency meetings at which the Sphere standards and indicators were promoted. Nearly two-thirds also reported changing their programming process in direct response to Sphere (Van Dyke and Waldman 2004: 24, 45). Sphere reports that a number of agencies, including Lutheran World Federation, WVI, CARE,

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[111] A Sphere Project staffer reported serious difficulties with the pre-2011 website (Int. 63), which is reflected in the lack of consistent website data over the years. Consequently, it is impossible to draw grand conclusions from the data. For instance, it is unclear whether the 232,000 hits Sphere reported in May 2004, in the midst of Handbook revisions, was a high water mark or simply reflected different methodology (Sphere Project 2004c). There is also no way of knowing whether "hit count" refers to page views or unique visitors.

[112] Consultations in 2004 found overwhelming support for the continuation of the project in some form. In fact, only 3 of over 400 participants (.75%) expressed a negative opinion towards Sphere (Sphere Project 2004b: 5).

CRS, the British Red Cross, and Concern Universal, have taken major steps to institutionalize Sphere (Sphere Project 2010b: 7). For instance, World Vision includes Sphere as a fixed component in all humanitarian staff trainings, uses its standards in response design and monitoring, and has even developed a Sphere Standards "pocket guide" (Sphere Project 2010b: 11; 2007b: 5, 10). UN agencies also increasingly refer to the Sphere Standards and use them in project planning, implementation, and monitoring (Sphere Project 2010b: 8).

I found evidence of institutionalization during my research visits to agency headquarters. At Ireland's Trócaire, a branch of Caritas, staffers were unreserved in their praise of Sphere; one called it an initiative that "goes far beyond the notion of cheap talk; I see the existence, the acceptance of, and the live nature of Sphere Standards as something that's central to the work we do" (Int. 16). At Concern, too, Sphere is absolutely "one of the key humanitarian codes" they follow; "it is embedded in the organization" (Int. 25). Everyone who comes through Dublin is given an induction which includes Sphere; trainings are periodically carried out at the regional and country level, and standards are transmitted through partners. "Sphere is a natural part of how we carry out emergency response… [It] is part of our makeup now, part of our training, part of our culture… Sphere is something that we have bought into *completely* as an organization and believe in" (Int. 25). At the American Red Cross, Sphere is "so natural, so institutionalized, that it has become a part of the organization" (Int. 53). Sphere is also "in the core" of Islamic Relief's work (Int. 28). Indeed, at the headquarters in Birmingham, I found that most humanitarian response staff had copies of the handbook

on their desks or easy access to an electronic copy. As one of them commented, "it is like the Koran" (Int. 28). Five departments have adopted Sphere into their working papers and standards and indicators are incorporated into assessment, proposal, and project evaluation phases (Sphere Project 2007a ; 2007b: 11).

Now, the fact that tens of thousands of humanitarians have access to the handbook says little about whether it is used, staff at HAP pointed out.[113] Sphere acknowledges that "many agencies claim to work 'to Sphere standards', by which they mean little more than observing the quantitative indicators in the Sphere Handbook. This poor adoption of Sphere has been exacerbated over the past decade by the entry of many new actors into the humanitarian arena" (Sphere Project 2011a). A former Sphere Project staffer noted that "I don't think you'd find anywhere in the world where you'd meet them [the standards]" (Int. 33). This observation is borne out repeatedly by project evaluations. From CARE in Aceh to Fida in Uganda to MSF in Sudan to IDP camps in Pakistan, time and time again, analyses find that Sphere is, at best, partly met, even if most reports are positive in tone (see Smith 2005 ; Githinji-Ayieko 2008 ; Griekspoor and Collins 2001 ; Qayum et al. 2010). Other studies have reported shortcomings elsewhere, such as in shelter and settlement planning (Sipus 2010), coordination among agencies and with governments (HAP and Project 2007), community participation (Sphere Project 2004b: 5; Van Dyke and Waldman 2004: 48), institutionalization at the field level (Sphere Project 2004b: 9), and accountability (Buchanan-Smith 2002: 44; Raynard 2000).

The reasons for this are complex. One explanation is turnover: one survey found

[113] "So you keep saying you're signed up to Sphere, whatever signing up means; you've got copies of the handbook. How do you make sure it's used and it doesn't just sit around?" (Int. 37, 36)

that 27 ToT grads out of 83 respondents had changed organizations since the time of their course (Sphere Project 2009c: 16; 2010d: 27). Church World Service also reported that efforts were slowed in Pakistan as Sphere-supportive managers had left the organization (Wooster 2008: iii; also Int. 25, Int. 31, Int. 32, Int. 33, Int. 43). Another explanation is capacity and the scope of field operations. Several reports found that local staffers were not trained in Sphere prior to the onset of a crisis (Smith 2005 ; Sphere Project 2007a ; Hirsch 2008: 43). These lags are often attributed to time or funding constraints (Sphere Project 1999 ; 2009d: 4; 2010d: 27; Van Dyke and Waldman 2004: 52-53; Wooster 2008: iii; Int. 31, Int. 32). Moreover, it is often hard to determine compliance, given that many indicators, such as the question of levels of service between host and displaced populations, are not easily determined (Shenoy et al. 2007).

A main reason has also undoubtedly been the inability of Sphere to integrate compliance mechanisms. Sphere defines compliance as "the reflective and practical application of Sphere guiding principles (Humanitarian Charter), common standards and relevant technical standards, in a co-ordinated, sensitive and flexible manner, taking into consideration the context in which humanitarian assistance is delivered" (Shenoy et al. 2007 ; Githinji-Ayieko 2008: 6). However, though compliance mechanisms have been on the agenda since Sphere's inception in 1997, when the Project "recognized that the creation of a handbook would not in itself lead to greater adherence to the Humanitarian Charter and Minimum Standards" (Freih 2000: 4), the fact that none have emerged says as much about the difficulties of gathering consensus across the large field as it does about the limits of self-managed regulation.

In 1997, Sphere envisioned a "system for responding to complaints of non-compliance" and conducted research into compliance mechanisms in Phase II of the project (Sphere Project 1997, 1999, 1998); a follow-up paper was drafted in 2007 (Shenoy et al. 2007). The studies found room for joint, peer-based assessments and evaluations and recommended collaborative assessments and NGO accreditation (Freih 2000). However, by the Phase III proposals, there was a reduction in compliance talk (Sphere Project 2000a), and the 2004 independent evaluation concluded that despite calls for an NGO regulatory body, this was "unlikely to become the norm"[114] (Van Dyke and Waldman 2004: 8). Why was this?

First and foremost, there was a lack of common ground on compliance from the earliest stages, as evidenced by comments documented at the Sphere Conference in 1998 (Sphere Project 1998 ; Van Dyke and Waldman 2004: 22). This was reflected in the consultations over the future of HAP International as well, which concluded that "consensus does not exist within the humanitarian community" regarding what standards to police and how to do so (Doane 2000: 19). Freih, in a Sphere-commissioned compliance study, found neither the Sphere Management Committee nor the humanitarian community at large willing to engage in creating a complaint-handling mechanism specifically for Sphere[115] (Freih 2000: 12). Despite occasional calls for a mechanism, such as by the Tsunami Evaluation Coalition, it appears that mandatory

[114] This may have been part of a wider trend. Peter Raynard recounts that accountability was very much on the agenda in the UK voluntary sector in the mid-1990s. "However, by the end of the decade the debate had turned into one about 'quality' – accountability had strangely dropped from view" (Raynard 2000: 4).
[115] Around this time, Sean Lowrie, Phase II training manager, noted that the Project office had "no interest" in monitoring compliance (Lowrie 2000: 12). Disclosure and monitoring raised concerns among agencies that they would be penalized for their transparency by an uninformed public and a sensationalist media (Freih 2000: 9).

compliance is off the table (Q&A Meeting Report 2007).

Monitoring for compliance has remained decentralized and ad hoc.[116] Additionally, in the views of many in the field, responsibility for compliance has now shifted to HAP International. This view found considerable support in interviews with Sphere, HAP, and NGO staff (Int. 11, Int. 15, Int. 16, Int. 26, Int. 27, Int. 36) and is discussed in greater detail elsewhere in my research. As a former Sphere staffer put it, "there's a very direct link between HAP and Sphere" as HAP took up the dropped discussion of an accountability mechanism (Int. 33). In practice, a number of agencies are already using HAP as a means of pushing forward Sphere, as is the case at Concern and, in the likely future, Trócaire (Int. 16, Int. 26).

Lack of accord aside, questions remain about whether Sphere is even enforceable, given that "the information contained in the handbook is not prescriptive. It can be applied flexibly to other situations…" (Sphere Project 2004a: 6; Wooster 2008: iv). We must also recognize that there are no strict timeframes and that agencies' ability to achieve the Minimum Standards depends on numerous factors, many of which are out of their control, such as political situations and funding (see Sphere Project 2004a: 13-4).

In practice, many agencies use Sphere. Van Dyke and Waldman find: "Among the strongest evidence of the success of Sphere is the high proportion of survey respondents who reported using the Handbook in the course of their humanitarian work.

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[116] For instance, CARE has developed the Sphere Review Process for reviewing compliance (Smith 2005 ; Sphere Project 2009b ; 2007b: 17). World Vision has recently organized Sphere review events in the Democratic Republic of the Congo, the Philippines, Zimbabwe, and Gaza (Sphere Project 2010d: 13). In the UK, the DEC members are required to conduct external evaluations eight months after an appeal launch. In the United States, Sphere standards and the Charter are included in InterAction's PVO guidelines and agencies in disaster response must self-certify annually that they are in compliance with the PVO standard (Freih 2000: 10-4).

Incredibly, (although as has been pointed out, selection bias may affect this result), only forty-two of four hundred thirty-four (42/434, 9.7%) reported not using the Sphere Project guidelines" (Van Dyke and Waldman 2004: 32). At the same time, even the most committed agencies advocate *flexibility* in approach and interpretation. Concern, for instance, takes a 'considerational approach' to Sphere, seeing it as "aspirational," and "something you aim for." In certain environments, the indicators are far out of reach, "so in those types of circumstances, we're not even going to aim to meet the Sphere Standards – it's not realizable. So it's getting that balance between what is realistic and what is fulfilling the key Sphere aspirations"[117] (Int. 25). Similar remarks were made by personnel at Islamic Relief (Int. 28) and have been reported in project evaluations (Sphere Project 2007b: 8-9; Van Dyke and Waldman 2004: 44). Sphere also accepts that context needs to be taken into account (Int. 31).

Though it is difficult to demonstrate systematic impact, there are still strong perceptions that Sphere has resulted in improvement. The external evaluation in 2004 found "overwhelming agreement that… the Sphere Project has had a positive impact on the quality of humanitarian aid" with only 4 out of 434 survey respondents responding that the impact was negative (Van Dyke and Waldman 2004: 43). Interview subjects felt that Sphere "has had a much broader and deeper uptake than any other guideline" (Int. 43, Int. 28) and that "inevitably it has had an impact, but we're not able to demonstrate that" (Int. 17, Int. 50).

[117] At the same time, Concern believes strongly in Sphere; the humanitarian staffer I talked to was firm that "we are not flexible about Sphere – we're flexible about the application of it" (Int. 25). In this situation, to call Sphere aspirational does not mean that the organization stops working towards the goal.

Section VI – Sphere as language, rulebook

The preceding analysis has demonstrated two things: first, that Sphere enjoys enormous popularity across the humanitarian field – with exceptions noted; second, that while Sphere is widely used by organizations, full compliance with its technical guidelines is difficult to measure, perhaps impossible to achieve, and probably beside the point. In many ways, full compliance has never even been a Sphere objective.[118] The Project aims for continual improvement of practice, of course, but, as I have outlined, its goals are emphatically normative as well. Thus, when Sphere outlines its accomplishments, it focuses attention on its ideational objectives. For instance, it has "argued for the universal right of all disaster-affected people to humanitarian assistance," achieved "consensus on key technical indicators," and gained "agreement on core principles and actions" (Sphere Project 2008c: 55). This underscores my argument that self-regulation is a vehicle for normative projects.

In this final section, I return to themes developed earlier on Sphere's function in humanitarianism's symbolic and regulatory order. Specifically, I look at Sphere as constituting a humanitarian language and rulebook and as a focal point for additional efforts at regulation. To the extent that Sphere is widely used across the field, it can be said to fulfill these objectives.

First, the widespread use of the Sphere handbook gives credence to Sphere's claim to have created "a common language in which people can engage in issues of common concern in the humanitarian field" and achieved "a remarkable consensus" on

[118] The Project has "consciously opted for the Handbook not to be prescriptive or compliance-oriented, in order to encourage the broadest possible ownership of the Handbook" (Sphere Project 2011c: 8).

technical standards (Sphere Project 2004b: 53; 2008c: 11; 2004a: 6). The wide-ranging consultations in 2004 found that the Sphere handbook has had real success in providing a common reference point and 'language' to facilitate coordination; it is a "common framework for the sector" (Sphere Project 2004b: 5, 26; Freih 2000; Int. 43, Int. 45). I have already indicated that, according to the Sphere external evaluation, 90% of humanitarians report using Sphere. This same study found that the Sphere Handbook has become "one of the few standard texts available to those seeking to learn about and to implement humanitarian interventions," concluding that "the discourse surrounding humanitarian assistance has been profoundly influenced by its assistance" (Van Dyke and Waldman 2004: 57). Moreover, in 2009, the InterAgency Standing Committee identified the Sphere standards as "the de facto standards in humanitarian response" (Sphere Project 2011a). This success is exemplified by the fact that by 2004, less than six years after its launch, the handbook was referenced by several hundred publications (Van Dyke and Waldman 2004: 57). Is there any other set of guidelines that boasts such widespread use? Sphere is, in many ways, the rulebook for the humanitarian game.[119]

Sphere has also had a meaningful impact on humanitarian identity. Sphere evolved out of a concern that the sector was growing, with too many organizations and not enough professionalism.[120] It was hoped that its common standards would "prevent rogue NGOs from surviving" (Van Dyke and Waldman 2004: 44). Sphere's deeper impact thus lies in the attempt, and substantial realization, of "chang[ing] the profession of emergency relief from one steeped in the principles of voluntarism and charity to one

[119] One sector veteran called it a form of "network power… Setting standards, setting the rules of the game is a form of control, power, or imperialism" (Int. 34).
[120] (Buchanan-Smith 2002: 45).

that includes, as part of its foundation, important elements derived from the disciplines of legal obligation and scientific rigor" (Ibid: 8-9). One of the main innovations of Sphere has been its grounding of humanitarian practice in human rights. In part influenced by the Sphere Project, many NGOs have adopted a rights-based approach – in principle, if not entirely in practice.[121] Another innovation has been its support for technical proficiency and professionalism. As a former Sphere staffer noted:

> The ideal situation is that a smaller organization can prove themselves to be more professional than the competition by demonstrating their ability to understand and want to use the standards, and thereby convince the donors. The standards are a benchmark of professionalization and a way to demonstrate that this is what is considered to be internationally necessary to provide our service, and this is what we therefore need to be able to do that[122] (Int. 33).

As I found at Islamic Relief, Sphere demonstrates that the organization is a "legitimate" actor, something especially important for an agency that staffers note occupies a space between the West and the Arab world (Int. 28, Int. 30; Thaut et al. 2012).

Finally, Sphere, like the Code of Conduct, has become a central thread in the field's regulatory web. The Sphere process, approach, structure, and terminology have been emulated by numerous other initiatives. For instance, the Code of Good Practice for HIV/AIDS Project was influenced by Sphere's worldwide consultation; Sphere has inspired the People First Impact Approach; is included in the Australian Council for International Development's Code of Conduct; and was an inspiration for the Code of Conduct for NGOs in Ethiopia (Sphere Project 2003b, 2010b ; 2009e: 28; Freih 2000: note 26). Sphere is also increasingly incorporated into other guides and manuals, such as

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[121] Which underscores the importance of rights as legitimizing principles.

[122] A WVI regional relief coordinator claims that "an agency that uses Sphere, and is perceived by others to faithfully try to apply its guidelines and norms, is one that more and more people will look to for providing assistance – a 'go to NGO' if I could put it that way" (Sphere Project 2009b: 3).

the UN nutrition Cluster capacity building initiative, Episurveyor, a mobile phone data collection system, and, together with People In Aid and HAP, the Emergency Capacity Building Project (Sphere Project 2009c: 9; 2010b: 18; 2009e: 19).

In addition, Sphere has become the focal point in a network of standards called "companion standards," which build on and support the Sphere standards. The INEE *Minimum Standards for Education in Emergencies, Chronic Crises and Early Recovery* became Sphere's first companion standards in October 2008. INEE was influenced by Sphere's experience and "built on and improved the Sphere process" with local consultations at the school level and national and regional consultations (Int. 33, Int. 46). Sphere and INEE now have a formal relationship, similar icons, and cross-referenced handbooks. They have also formalized training linkages and strengthened advocacy, promotion, and communication (Sphere Project and INEE 2009: 8-9). The companionship process has continued with the Livestock Emergency Guidelines and Standards (LEGS) Project and the Minimum Standards for Economic Recovery after Crisis of the Small Enterprise Education and Promotion (SEEP) Network (Sphere Project 2010b ; 2010c: 7-8).

The 2011 handbook signifies the increasing coherence of the web, including increased reference to education, as per the companionship agreement with the INEE Minimum Standards, and the addition of aid worker performance as one of six core standards, thus linking Sphere to People In Aid and HAP benchmark 2 (Sphere Project 2010e). Moreover, Sphere and eight other humanitarian quality and accountability

initiatives[123] meet regularly and "have a shared vision regarding the ethical responsibility of humanitarian agencies to respect the dignity of people affected by disasters and to provide quality assistance" (Sphere Project 2009b: 10; 2009e: 19). HAP and Sphere, especially, have demonstrated a firm commitment to working together, as evidenced by joint deployments, including in Pakistan (2005) and Myanmar (2008)(Sphere Project 2010b ; 2009a: 3-5; HAP and Project 2007 ; Lloyd 2008). A HAP staffer emphasized that "there is a lot of coordination between ourselves and Sphere" and that the initiatives share many members[124] (Int. 11). Though there are still significant differences between the initiatives and gaps in cooperation, such as will be explored in Chapter 5, it is a significant development that they are working together to articulate a joint vision.

Sphere is used in development programs as well, though this was not the original intention (Van Dyke and Waldman 2004: 47). Now, "the position from the board and the Sphere Project has been, well, the standards are not for development work, but in practice they are used" (Int. 32). Given the 'vacuum' of standards on the development side, Sphere is often the most readily available document for guidance. This trend may only increase with the companion arrangement between INEE and Sphere as it moves thinking beyond immediate response to include risk reduction and reconstruction (Sphere Project and INEE 2009: 9). Sphere's use in development is an example of how innovations in one field may diffuse into cognate fields.

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[123] ALNAP, Coordination SUD, ECB, INEE, Groupe URD, HAP International, and People in Aid. The Q&A group has created a dialogue among initiatives, but remains unclear on its objectives (Int. 46, Int. 52).

[124] The HAP Standard and the INEE Minimum Standards were reviewed at the same time as the Sphere Handbook. Reciprocal engagement by staff in the revision processes was intended to increase complementarity and reduce overlap. There is also mutual representation in the respective revision structures between HAP and Sphere (Sphere Project 2011a ; 2009a: 2).

Sphere has also become a platform for engaging with donors. One of the functions of self-regulation is that it provides a set of easily referenced standards for use in advocating for more resources; in fact, Sphere was intended as an advocacy tool (Sphere Project 2008c: 62; 1998 ; Freih 2000: 6). Advocacy remains very much on the agenda in the 2010-2012 Sphere Program Summary (Sphere Project 2010c: 15-16). While it is difficult to assess in any systematic way how widespread or successful NGOs have been in lobbying with Sphere, in interviews, the topic came up, usually unprompted. Trócaire, for instance, finds the principles "an enormously useful tool to advocate around because we have a structure there to pin our arguments on" (Int. 16). For CRS, too, Sphere is "something we can grab onto to have a conversation with donors" (Int. 45). The 2004 Project Evaluation found that 23.3% of respondents reported that using Sphere had increased funding compared to only 2.8% citing decreased funding (Van Dyke and Waldman 2004: 56). Sphere materials cite examples of successful lobbying for more camp space, Sphere integration in government response plans, and awareness of humanitarian principles (Sphere Project 2001a: 13; 2009e: 10; 2010d: 18; 2009b).

Conclusions

Sphere, like the Code of Conduct before it, was an attempt by a group of humanitarian practitioners to develop standards for proper humanitarian conduct. Though deeply influenced by the humanitarian response to Rwanda, I have demonstrated that Sphere was not simply a reaction to increasing donor pressures. The Rwanda experience focused the field's attention on the issue of self-regulation; it furnished political will for what was, in many ways, an effort to forge ahead with a standards-

setting process begun with the Code of Conduct. These standards were part of an ambitious attempt to create a process and consensus behind reconfiguring humanitarian action as rights-based and technically focused. Self-regulation, then, was a means for creating changes in the organization of the humanitarian field, for shifting the basis of action from amateurism and volunteerism to technique and professionalism. The contestations of the Sphere Project by a set of French agencies underlines just how contingent and political the codification process is.

Chapter 5 – HAP International and the Accountable Humanitarian

One of the most dramatic recent developments in global humanitarianism has been the increase in discourses and practices related to accountability – the holding to account of one party by another. In humanitarianism, the "accountability revolution" has been propelled by events like the Rwandan genocide, donor and public concerns over the use of funds, the influence of corporate accountability techniques, and trends towards professionalization. As a result, humanitarian NGOs today are often extremely accountable to the large institutional donors that fund their missions (Bendell 2006 ; Lawday 2006). However, an increase in donor, or "upward," accountability has only rarely translated into an increase in accountability to the populations that receive aid.[125] Consequently, the accountability revolution is only partially realized.

As some in the field now recognize, the "accountability gap" – the attention to financial accountability and simultaneous inattention to the voices of beneficiaries – is characteristic of a profound power disequilibrium between large northern NGOs and the often destitute populations they serve. As a staffer at the Humanitarian Accountability Partnership (HAP) International framed it, "many of the worst excesses in relief operations relate to the abuse of power" (Int. 36). For proponents of beneficiary (or "downward") accountability, then, being responsive to local populations is inextricably linked to fulfilling core values like humanity and empowerment. This chapter addresses

[125] As Andrew Lawday writes, "there was indeed an accountability revolution after Rwanda, but it was a revolution in accountability to donors, not to beneficiaries. The sector became professionalised, results-based management replaced good intentions and codes and charters were introduced. None of this, however, led to meaningful changes in accountability to beneficiaries" (Lawday 2006 ; see also HAP 2006c: 16).

debates over humanitarian accountability through an analysis of HAP International, the most prominent voice for beneficiary accountability, and its predecessor, the Humanitarian Ombudsman (HO) Project.

I find that HAP International, while offering a genuinely transformative approach to accountability, has nonetheless struggled until recently to gain a significant following outside of its core group of supporters. Compared to the Sphere Project, which also came out of Rwanda and with which it shared key figures, HAP's early existence has been fraught. While Sphere has evolved into the largest humanitarian self-regulatory initiative, HAP's membership numbers have lagged far behind expectations and the initiative has been subject to sharp criticism from various directions. Like Sphere, this includes opposition from French agencies, but, unlike Sphere, also includes wariness from established Anglo organizations (even, at times, from Sphere itself) and numerous internal divisions. As a Board member put it, HAP's existence has been "turbulent" (Int. 64). Given the similar circumstances from which HAP and Sphere emerged, how do we account for these different trajectories?

One explanation is that HAP is a certification initiative with third party verification. Thus, unlike Sphere, it imposes real reputational costs on its members. Of the three types of self-regulatory initiatives – including *principles-based* codes, such as the Red Cross Code of Conduct, and *technical standards*, such as the Sphere Project – certification initiatives are the most stringently enforced (Lloyd and de las Casas 2006 ; Davis 2007). This means that HAP most closely resembles a "strong accountability club" with the high bar it sets for membership. Recall that, for accountability club scholars,

strong clubs tend to be smaller in size, precisely because they impose costs on non-compliance (Bowman 2010 ; Tschirhart 2010). Indeed, I find that certification *has* been extremely controversial among HAP members and the humanitarian community, for reasons which *include* fear of sanctions, but also include different perspectives on how best to achieve accountability, on the direction of the initiative, and on the feasibility of regulation in crisis response situations. Fear of enforcement is only part of the story.[126]

To understand the turbulent existence of HAP requires an in-depth tracing of the ideas that motivated its creation and the context in which it emerged. Though HAP is a strong club, its history does not match the expectations of rationalist approaches like the accountability club framework, which understands self-regulation as a strategic response to external pressure from principals (donors and the public) and predicts competition among initiatives over market share and members. Even in the case of HAP, where external pressure for accountability has been quite prominent, I find that the single most salient variable is identity: ideational entrepreneurs created the Ombudsman, then HAP, in response to a crisis of legitimacy post-Rwanda; the decision to pursue certification reflected the beliefs and experiences of its founders, who preferred a strict, pure approach to one that compromised on core principles to achieve mass membership.

With HAP International, the motivations for, and subsequent contestations over, self-regulation derive primarily from different understandings of the proper practice of humanitarian action. I highlight two major themes. First, from HAP's roots in the

[126] People In Aid (PIA), another post-Rwanda Q&A initiative, also promotes certification, but has a considerably wider reach. As a HAP Board member noted, it has also not been plagued by as many internal divisions (Int. 64). PIA's membership, as of April 2012, was 181, compared to HAP's 84 members.

Ombudsman Project to the present, the humanitarian community has been deeply divided over the question of accountability. Despite general acceptance that organizations must be more accountable to the populations they serve, there has never been consensus on how this is to be achieved. I identify important disjunctures between HAP and the Ombudsman over matters of approach and between HAP and French agencies over basic questions of regulation. For HAP, accountability has become synonymous with certification; for others, this link is not so apparent. Second, HAP's role in the humanitarian field has been contested, in part because of HAP's own combative approach. HAP and Sphere have had an ambivalent relationship, owing to their different approaches to humanitarian reform, and HAP itself has been riven by divisions among its Secretariat, Board, and membership. These tensions relate to HAP's own organizational identity – specifically, a deep belief that the humanitarian system must change – and related questions of personality and leadership.

These themes are explored in each of this chapter's six sections. The first section provides an overview of HAP International's governance and approach to accountability, with emphasis on the certification process. The second section details the origins of the initiative in the aftermath of Rwanda: born as the Humanitarian Ombudsman Project in 1997, the initiative evolved out of a deeply principled critique of the failures of the humanitarian system in Rwanda. In Sections III and IV, I discuss the Project's difficult birth and portray the transition from the Ombudsman to HAP as a turning point in the approach to beneficiary accountability. I consider HAP's committed advocacy of certification in the absence of systematic evidence of effectiveness and against the desires

of some of its largest members, relating this strategy to the initiative's guiding principles. Sections V and VI assess the role of HAP International in the humanitarian field by analyzing its relationship with other humanitarian players, including MSF and the Sphere Project, and exploring the identity of the initiative. In concluding, I assess HAP's impact on the field and the increasing acceptance of beneficiary accountability.

Section I – HAP International and certification

Founded in Geneva in 2003, the Humanitarian Accountability Partnership (HAP) International is the most current instantiation of a post-Rwanda project to explore accountability mechanisms in humanitarianism. HAP seeks to increase accountability to beneficiaries through organizational change, namely through the promotion of a quality management framework and certification in the HAP Standard. HAP has the distinction of being the only major humanitarian initiative focused explicitly on accountability and, with People In Aid (PIA), is one of only two field-wide initiatives promoting third party certification.

HAP's vision for the field is captured by the *HAP 2010 Standard in Accountability and Quality Management*. The Standard's six benchmarks are intended to promote a culture of accountability within organizations and the inclusion of beneficiaries at all stages of the program cycle. The benchmarks are: 1. Establishing and delivering on commitments; 2. Staff competency; 3. Sharing information; 4. Participation; 5. Handling complaints; and 6. Learning and continual improvement (HAP 2010d, 2007c). These benchmarks are directly and explicitly targeted at intra-organizational processes. Thus, the HAP approach is immediately distinct from an

initiative like the Sphere Project, which sets response standards but leaves it to individual agencies to determine how these standards are to be achieved.

In practice, the HAP approach can be boiled down to three words: "talk to us." HAP's argument is that "humanitarian programmes will be delivered more effectively; saving more lives; and improving the quality of more people's lives; if their intended beneficiaries participate in all stages of the programme cycle" (HAP 2010f: 7). For instance, during the Cyclone Nargis response in 2007-8, CARE-Bangladesh established complaints boxes, receiving over 3,000 complaints. Local leaders commented that it was "the first time that they had seen an international organisation pay attention to complaints made by beneficiaries and take appropriate action. They added that this improved transparency and their confidence in working with CARE-B" (qtd. in HAP 2009c: 51; see also HAP 2011e: 120). As this example demonstrates, beneficiary feedback – both positive (consultation) and negative (complaints) – is central to achieving accountability and deeply enshrined in the Standard.

The Standard was the product of an extensive, Sphere-like process of inclusion, global coverage, and voluntary participation (HAP 2008c: 228-9). The 2010 Standard included 1900 individuals in 56 countries; it built on the work of the original 2007 Standard, which was developed by 232 individuals representing agencies, donors, and disaster survivors (HAP 2011b: 9). Though the two editions are largely compatible, this chapter predominantly references the HAP 2010 Standard. Relative to the 2007 edition, the 2010 Standard is wider in scope: it covers development and advocacy, as well as humanitarianism; it has sections on financial accountability and sexual exploitation; it

increases coherence with other Q&A systems; and it includes standards for working with partners (HAP 2011e: 16; 2010b: 12).

Institutionally, HAP comprises three bodies, plus committees and working groups (HAP 2008d). The *General Assembly* (GA), the largest body, includes full and associate member organizations and Board members. The GA has few allotted functions beyond reviewing HAP's operations and principles and electing Board members.[127] The *Board* is composed of elected representatives of full members, 12 in all, of which one third must be independent. The Board meets twice a year and takes responsibility for HAP's strategic direction, including reviewing the budget and membership applications.[128] Finally, the *Executive*, or Secretariat, is headed by a Board-appointed Executive Director. The Secretariat is responsible for developing and maintaining the principles of accountability through research, consultation, and collaboration; training and support; monitoring and advocacy of accountability; monitoring and reporting on implementation of HAP's principles; and assisting members as they address concerns or complaints. HAP's Secretariat is similar to the Sphere Project Office in its material support role.[129] The Secretariat is the public face of the initiative and oversees day-to-day operations.

As of April 2012, HAP has 84 member agencies, including 66 full members, of which 13 are HAP certified. There are three categories of members. *Full members* are those humanitarian organizations whose core activities include operational relief and

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[127] As was noted at the first Board meeting: "It is difficult at this stage to identify a meaningful role for the General Assembly. It elects the Board members, but somehow it is cut from the center of discussion" (HAP 2003b: 3).

[128] The finding of independent board members and ensuring broad geographical representation has been a perpetual difficulty for HAP (HAP 2004a: 3; 2004c, 2005, 2007b, 2008b, 2010a).

[129] For instance, in Haiti in 2010, a joint HAP and Sphere team delivered 15 training workshops for 260 staff from 39 organizations (HAP 2011e: 16). HAP also maintains a website, which averaged up to 16,700 visitors per month, on average, in 2010 (HAP 2011b: 29).

humanitarian assistance, are legally recognized as non-profit, and meet requirements for financial accountability. HAP's 66 full members include some of the largest and best-known international NGOs, such as Oxfam GB, World Vision International, and Save the Children UK, as well as many smaller NGOs. In fact, two thirds of these members are Southern NGOs (Int. 64). *Associate members* do not meet eligibility requirements to be a full member but act in ways consistent with and supportive of the vision, purposes, and objectives of HAP. These comprise non-operational organizations and networks, including the Disasters Emergency Committee (DEC), Transparency International (Germany), and People In Aid (PIA). Regardless of type, all members commit to "being accountable for their actions and decisions in so far as these affect their humanitarian work, and in accordance with the principles for humanitarian action" (HAP 2007c: 8). This includes a commitment to self-monitoring and self-reporting, following up complaints, monitoring by HAP International, and peer review, as agreed (HAP 2008d).

Certified members are those full members that have been assessed for compliance with the HAP Standard by an independent audit. To achieve certification, an organization must meet the 6 benchmarks and 19 requirements in the HAP Standard, including developing an *accountability framework* (accountability and quality commitments specified by the organization), a *Quality Management System* (processes used by the organization to achieve commitments), and *Quality of Service* (defined by stakeholders, including disaster survivors). The total process, from membership to certification, including field and office visits, takes around 9 months[130] (Int. 11).

[130] The first stage is the *decision*, at which point HAP ensures that the agency is on board. Next is *preparation*, during which an agency prepares its Humanitarian Accountability Framework and its

Certification covers a three-year period subject to compliance verification and mid-term monitoring. Although only 13 of 66 full members have achieved certification, another 16 full members, as well as a number of non-members, have undertaken a benchmark analysis.[131] Certified members tend to be smaller to mid-sized and include such agencies as Concern (Ireland), Mercy Malaysia, and DanChurchAid (Denmark). The HAP Secretariat currently conducts certification; its vision is to accredit other bodies to do the certification (Int. 10).

HAP is thus part of a select group of Q&A initiatives that have the power to sanction their members, including by revoking membership for non-compliance. However, as one London-based practitioner noted, this aspect is still "a bit aspirational" (Int. 29). This is because HAP has never had to sanction a member, though HAP staff recalled one case that had precipitated such discussions (Int. 10, Int. 36, Int. 37). As I discuss in Section IV, HAP's identity has internalized the belief that it is the most rigorous humanitarian Q&A initiative. One staffer reflected: "I think that it's the best show that the industry has come up with to really make significant change that could stick because of the system that we've set up" (Int. 37). Certification, I was told repeatedly, is what makes HAP "fresh" and "unique" (Int. 11, Int. 36).

Despite – or, perhaps, because of – the freshness of its approach, HAP has faced consistent obstacles to its development, which I explore in subsequent sections. HAP has

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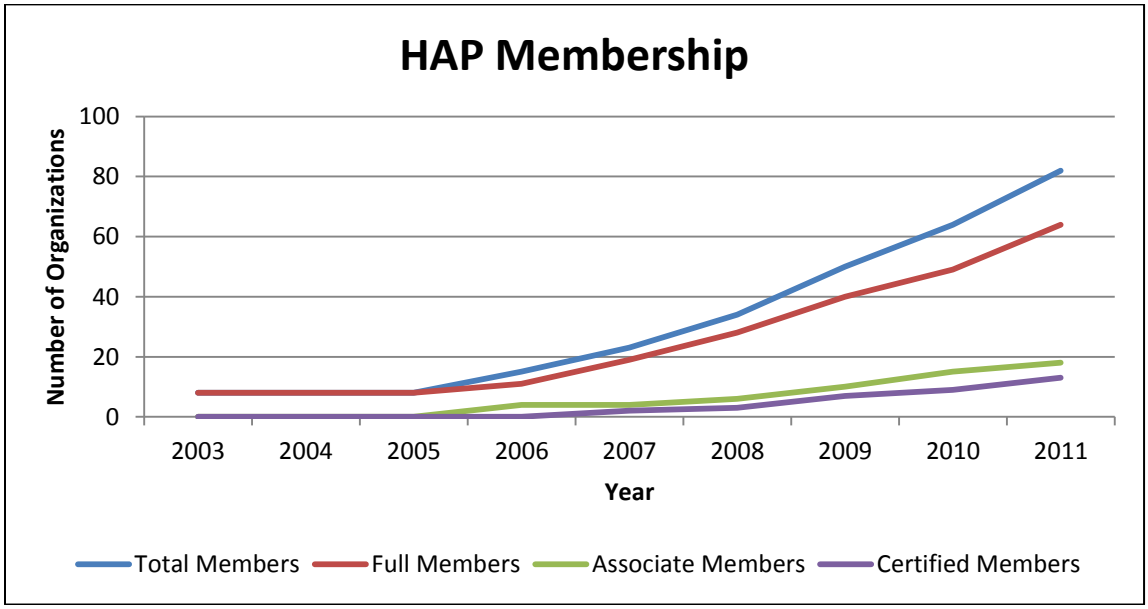
Humanitarian Quality Management System. This is followed by the *Baseline Analysis*, including a visit by HAP to the head office and field site and a report, and a subsequent period of *Improvement*, during which HAP provides consultation and support as the organization addresses corrective actions that arose in the baseline. The final stage is the *Audit* of the head office and field site, which culminates in *Certification* (Munn 2008).

[131] In 2008, both UNHCR and HelpAge International, neither members at the time, completed baseline analyses (HAP 2009c: 164).

written of the "challenging years convincing the sector of its value" (HAP 2010b: 36). For instance, membership growth, while steady, initially proceeded much slower than anticipated (Int. 36, Int. 37). This is seen quite clearly in the pace of certification. HAP's 2007-2009 Strategic Plan envisioned 36 agencies certified by the end of 2009, with all members as of 2005 achieving certification. However, by December 2009, only 7 had completed certification (HAP 2010b: 35) and, as of April 2012, there were still only 13 certified members. While the pace of certification remains slow, membership has increased more rapidly since 2008, with 40% growth between 2008 and 2009 and similar levels since (HAP 2009a ; 2010e: 18; 2012). Secretariat staff felt that this growth has helped "validate" HAP's approach (Int. 11) and that the organization's influence "has grown exponentially" (Int. 37). HAP's growth is charted in Figure 6.

Figure 6



Funding has been another constant issue; as recently as 2011, HAP acknowledged that its "current financial situation is not stable or secure" (HAP 2011a). In fact, HAP's

budget actually *shrank* between 2009 and 2010 – from CHF 2,306,963 to CHF 1,999,976 – and an independent evaluation of the initiative found that funding and staffing issues had caused repeated delays and necessitated the scaling back of plans and budgets (Salkeld 2009: 5). In 2007, HAP had a 23% funding shortage; in 2008, only 52% of the proposed budget was raised; and in 2009, issues were again cited (HAP 2008e: 62; 2009c: 5; 2011b: 16).

It should also be noted that while HAP's budgetary fragilities are not unique in a sector reliant on government funding cycles[132] and on the whims of private donors, HAP's situation is highly relevant to my findings in Section IV, where I observe that HAP has pursued the objective of certification against the desires of its largest, best networked and funded members. Contrary to rationalist expectations, HAP has not subordinated its mission to funding considerations, even when this would, arguably, safeguard its future vitality.

Section II – Accountability: A contested proposition

Although HAP International is less than a decade old, its history dates to the aftermath of the Rwandan genocide, to the publication of the Joint Evaluation on Emergency Assistance to Rwanda (JEEAR). In HAP's words, following Rwanda and subsequent crises, "many agencies learned that good intentions were no guarantee of quality" (HAP 2006c: 8; Callamard 2006: 183). Its founding figures recalled a sense of

[132] Institutional donors provide the largest portion of HAP's funding. In recent years, funding has come from DFID (UK), DANIDA (Denmark), Irish Aid, the Norwegian MFA, SIDA (Sweden), Buitenlandse Zaken (Netherlands), and the Ford Foundation. Perhaps not coincidentally, these are also four of the most effective and accountable state donors, according to DARA's 2010 Humanitarian Response Index (DARA 2010: 9). In 2010, Denmark was ranked #1, followed by Ireland (#2), Norway (#4), and Sweden (#5).

"shock" (Int. 61); people in the sector had a "deep sense of almost shame and guilt that they didn't do the right thing. The core of the feeling was a belief that they wanted to do better" (Int. 62). Even today, Rwanda remains very much a part of HAP's identity (Int. 10, Int. 64). As I discussed in Chapter 4, four major initiatives emerged after Rwanda: the Sphere Project, People In Aid, ALNAP, and the Humanitarian Ombudsman Project. It was the Ombudsman that was rechristened the Humanitarian Accountability Project in 2001 and, two years later, became HAP International.

The story of HAP International's birth is the story of the humanitarian community's search for answers following the experience of working in the refugee camps of eastern Zaire (today the DRC). The post-intervention period was marked by extreme doubts, questioning, and recriminations. While there was acceptance that humanitarian reform was needed, there was little consensus on how this was to be achieved, and the outcome of this process was in no way predetermined; the HAP that exists today – the initiative that seeks internal reform of agencies and promotes certification – was the outcome of a highly contingent, contested process, one in which ideologies, positioning, and personalities played a large part. Consequently, as I noted in Chapter 2, while the contemporary context has been favorable to humanitarian self-regulation, the initiatives themselves are very much a product of norm entrepreneurship and contestation.

Rwanda was also the point at which public criticism of NGO activity, previously muted in tone, became much more prominent. In the newspapers and among the public,

there is ever-greater willingness to criticize aid agencies.[133] This is the point emphasized by the accountability club approach: self-regulation is a calculated, strategic response to pressure from donors and the public. In one sense, this is quite true; external pressure has helped motivate the emphasis on accountability. In the words of a senior HAP staffer, "critiques are a hugely driving fear and force in the industry, who rely on public perception" (Int. 37; also Int. 10, Int. 11, Int. 34). MSF-Holland's Austen Davis notes that "donors are increasingly demanding more of a business model for aid provision, to extract efficiency and utility from limited resources" (Davis 2007: 4). I found HAP staffers and members attentive to these pressures.[134] Indeed, for members like CAFOD (UK), the donor environment has provided significant incentive to join HAP (Int. 54).

However, while public criticism of NGOs is clearly a feature of the environment, there is basically universal agreement among the Ombudsman/HAP's key figures that donor pressure has not driven beneficiary accountability. One of the founders of the Ombudsman characterized their motivations as "two thirds internal, one third external" (Int. 61). Another reflected: "In my mind, it was primarily the internal motivations. There was the argument that if we don't create standards, states will impose them, but I remember thinking at the time that they won't – they won't bother" (Int. 60). It was a "hollow threat," said another (Int. 61). This point is underscored in a recent article by ALNAP's Paul Knox-Clarke and John Mitchell; Mitchell was one of the Ombudsman's

[133] In the few months preceding to the 2004 Indian Ocean tsunami, major US newspapers published more than 30 articles highlighting ethical failures of charitable organizations, including executive salaries, administrative expenses, conflicts of interest, and transparency (Bendell 2006: ix-x; HAP 2003a).
[134] For example, at the 8th Board meeting, one member commented that "it is up to HAP's member agencies to do it [regulate] their own way or face somebody else's way… [certification] could be imposed on HAP members in a shape and form that they do not like" (HAP 2006b: 2).

founders. The rationale for the commitment to accountability, they write, was informed, first, by a moral argument based in humanitarian principles and the rights-based approach, and, second, by a belief that accountability would yield better results, performance, and impact (Knox-Clarke and Mitchell 2011: 3).

Among donors, I certainly found strong interest in accountability, but, as ECHO staffers put it, there is "neither the political will nor the consensus" among institutional donors to impose strong standards (Int. 55; also Int. 56, Int. 64). Indeed, as I note later, much of HAP's progress with institutional donors is attributable to HAP and its members' lobbying, not vice-versa. Moreover, HAP's vision of beneficiary accountability is fundamentally a challenge to prevailing donor-centric accountability practices.

To the extent that there are external pressures for humanitarian reform, they operate at a more abstract level. These pressures are experienced as a crisis of legitimacy in the field, as a shake to the system: good intentions are not enough. Lloyd and de las Casas put it thus:

> The political environment in which NGOs operate has changed irrevocably over the past decade. Good intentions and values used to provide a sufficient basis for NGO legitimacy, but there is now increasing pressure on NGOs to provide evidence that they are having a positive impact and are effectively representing those they claim to support (Lloyd and de las Casas 2006).

"Why," HAP Executive Director Nicholas Stockton asked in 2005, "does the humanitarian endeavour continue to behave as if our own good intentions alone are enough…?" (Stockton 2005b). This sentiment appears in other HAP publications as well (e.g. Callamard 2006 ; Davidson 2002: 5). A HAP staffer explained that "it's not about

saying 'I want to be a good person'… It's a profession" (Int. 10; also Int. 36). Even Austen Davis, a prominent critic of accountability efforts, agrees that "we cannot afford to go in armed only with good intentions" (Davis 2003). In this way, it is possible to account for an environment that was permissive of regulation, while simultaneously denying the inevitability of any particular regulatory outcome.

Following Rwanda, there was general consensus in the humanitarian field that more needed to be done to ensure accountability. As the Ombudsman Project noted in its feasibility study, there were few structures in the humanitarian system designed to encourage humanitarians to be accountable to the claimants of assistance (Ombudsman Project 1998b). However, as I found in my study of the Sphere Project, the shared belief that something had to be done post-Rwanda was not matched by consensus on the mechanisms to accomplish this. As one of the key Ombudsman figures explained, "everyone's heart was damaged by Rwanda. But what you do about it is a different question. There's a lot of horrible stuff that goes on in humanitarian responses. It puts you to tears. But where do you draw the regulatory line? It's a constant debate and there are never clear answers" (Int. 62). In the case of accountability, there has not even been agreement on the *definition* of the concept, much less how it is to be achieved.

Though accountability is widely accepted as positive and necessary, the concept is peculiarly complex by virtue of the highly unstable environments within which aid workers operate (Davis 2007: 1; 2003 ; Hilhorst 2002). Organizations are accountable to different sets of stakeholders, including institutional donors, governments, supporters, and beneficiaries, and the types of accountability required varies according to the

audience (Lloyd and de las Casas 2006). Consequently, the concept of accountability is "chameleon-like" for its different meanings in different contexts (Everett and Friesen 2010: 469). No wonder, as HAP has recently acknowledged, the humanitarian sector lacks a widely shared vision of what an 'accountable' system would look like (HAP 2011e: 56).

As a general proposition, accountability involves a *relationship* and a *response*. Jem Bendell writes that accountability concerns a relationship between A and B, where A is accountable to B if they must explain their actions to B, and could be adversely affected by B if B does not like the account (Bendell 2006: 1). HAP's own definition bears a strong family resemblance to this, but with a twist: it contains an "explicit and unusual" mention of power (Everett and Friesen 2010: 475). For HAP, *accountability* is "the means through which power is used responsibly. It is a process of taking into account the views of, and being held accountable by, different stakeholders, and primarily the people affected by authority or power" (HAP 2010d: 1). As the initiative states in *The Guide to the HAP Standard*, "inequality between provider and receiver means that the act of giving is often exercised without the consent of the person in need" and relief often occurs in a "state of virtual judicial impunity" (HAP 2008c: 3-4).

Accountability, then, is the legitimate use of power (HAP 2006c: 8). For HAP, people are the best judges of their own welfare; to do relief work without first consulting the affected population is to "treat people as if they were the objects of veterinary work rather than the subjects of humanitarian action" (HAP 2011c ; 2008c: 67). HAP's longtime executive director, Nick Stockton, framed it as a question of medical ethics: "I

fear the principle of informed consent is all too often the first victim of our widely observed cultural arrogance and our unchecked economic power relative to the intended beneficiaries of our work" (Stockton 2004: 4). As a HAP staffer put it, "the aim of HAP was to say, 'Well, what about the beneficiary? Who is listening to the beneficiary?'" (Int. 10).

What must be emphasized, particularly before delving into the obstacles that HAP has encountered, is just how novel HAP's understanding of accountability is. Prior to HAP, the humanitarian accountability revolution was top-heavy; advances in donor reporting and financial accountability – upward accountability – far outpaced developments in accountability to beneficiaries – downward accountability. Indeed, a survey of NGO self-regulation in 2006 found that 35 codes of conduct and certification schemes were dominated by one way of looking at accountability, namely that accountability entails setting internal standards to ensure compliance with reporting requirements, laws, and regulations" (Lloyd and de las Casas 2006 ; Bendell 2006). HAP has sought to promote an alternative to the "technical and self-referential reading of accountability" that has dominated the field (Callamard 2006: 184-5).

For HAP, as for the Ombudsman, the campaign for beneficiary accountability has been a fundamental challenge to the prevailing humanitarian system and an attempt to call attention to, and inverse some of, the essential power hierarchies of relief operations. As HAP noted in its 2010-2012 Strategy:

> Some commentators on the sector believe that popular trust in aid agencies has declined in the last twenty years. To counter this, the sector has placed a new emphasis on speed and efficiency in the visible delivery of goods and services. While the motives are commendable, the growth in pre-packaged and pre-

> positioned relief supplies increases the risk that programmes are supply rather than demand driven, and less responsive to the requirements of affected communities (HAP 2010f: 6).

The point to be recognized here is that HAP, while recognizing the post-Rwanda perception of crisis in humanitarianism, has used this juncture to advocate for a different model of action. Despite talk on the part of some commentators of resource motivations in the design and promotion of self-regulation, the beneficiary accountability movement has, from the start, made strongly *principled* arguments for reform rooted in a desire to "shift the power" (Int. 10, Int. 36).

It bears recognizing that, like any intersubjectively-held concept, accountability is essentially contestable. The fight over beneficiary accountability is thus the fight to cement a conception of accountability within the field and to define the mechanisms by which accountability is to be achieved.

Section III – On the search for a method: Tracing HAP's development

Even more tendentious than the debates over the meaning of accountability have been debates over how best to achieve it. The JEEAR had identified weak accountability as an issue in the Rwanda response and called for self-managed regulation with compliance monitoring. Specifically, it recommended that the international community:

> Identify a respected, independent organization or network of organizations to act on behalf of beneficiaries of humanitarian assistance and member states to perform the functions described in option (ii) above (Eriksson 1996: 61).

The word "ombudsman" was mentioned – once; the recommendation was that an ombudsman be established in the UN Department of Humanitarian Affairs. However, it

was the NGO community, not the UN, which picked up on this recommendation. Initially, the idea for humanitarian accountability was explored within the Sphere Project, but, for reasons noted in Chapter 4, discussions of beneficiary accountability "generated considerable controversy" (HAP 2011c) and a separate interagency project was set up. As I outlined in Chapter 4, Sphere only worked on issues of consensus. Participants recalled that there were clear, even personal, divergences in Sphere between Peter Walker and Nick Stockton over sanctioning, leading to an early, definite split between the initiatives (Int. 62, Int. 64). This initial split would characterize the early HAP-Sphere relationship, which I discuss in greater detail in Section VI.

The Humanitarian Ombudsman (HO) Project, which preceded HAP, was born at the World Disasters Forum in London in June 1997. As an early draft of the Project Proposal framed it: "Instinctually, it was thought that an Ombudsman was the best way forward to increase accountability to beneficiaries, while facilitating improved performance by agencies" (Ombudsman Project 1998a). One of the key figures recalled that people thought the concept sounded good, but no one knew what it was (Int. 61). Research found that "Ombudsman" is an old Swedish word used to describe someone who "represents or protects the interests of another" (Mitchell and Doane 1999: 115). The ombudsman traditionally "acts on behalf of the public to ensure that executive and judicial authorities live up to their responsibilities by both complying with and enforcing the law" (Christoplos 1999: 128). Its role is to democratize public administration (Ombudsman Project 1998b: 10; Beyani 1999).

Because there was little consensus on how an ombudsman would function, a

feasibility study was conducted during 1998. The study concluded that it was possible, in principle, to develop a humanitarian ombudsman, and recommended a pilot project (Ombudsman Project 1998b ; Mitchell and Doane 1999). At the 1998 World Disaster's Forum, the decision was made to conduct consultations leading to a pilot project. The Project was coordinated by the British Red Cross, based in London, and guided by the 11 leading British agencies and networks.[135]

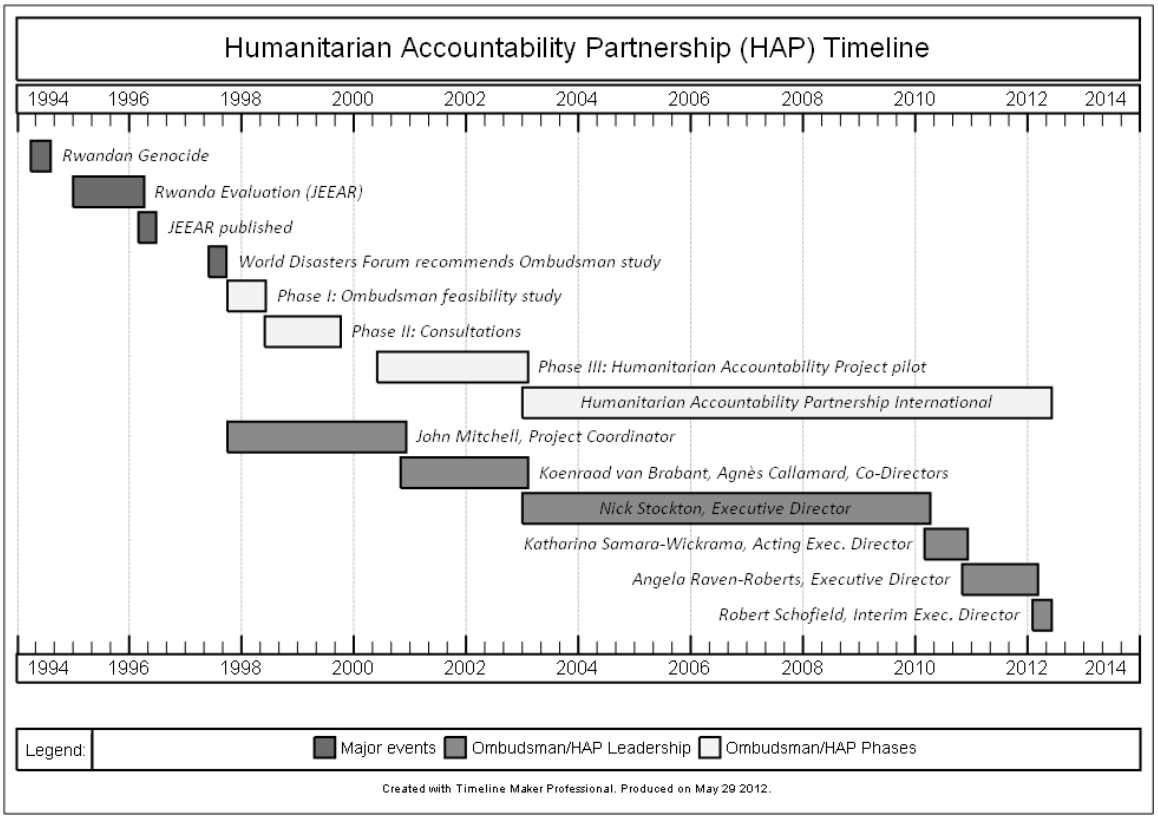


Figure 7

From May to August 1999, the Ombudsman held consultations in Costa Rica, Rwanda, Sri Lanka, and Sierra Leone. During August 1999, research was conducted in

[135] The Ombudsman Steering Committee consisted of Action Aid, the British Red Cross Society, the British Refugee Council, CARE-UK, DFID, Merlin, ODI, Oxfam GB, RedR, Save the Children UK, and World Vision UK.

Kosovo with the goal of developing a possible model for an Ombudsman. This research found clear need for and interest in a mechanism for holding humanitarians to account, but different perspectives on its shape and scope. For instance, the consultations in Central America and Rwanda found strong support for including host governments in the Ombudsman mechanism; this option was opposed in Sri Lanka (Doane 1999). This research also raised fears of bureaucracy and found concerns that complaints would serve a negative function (Apthorpe and Mayhew 1999). The Kosovo study recommended an Ombudsman with a main office in the capital supported by two or more roving teams. In a deployment, the Ombudsman would follow four steps:

1. *Triggers for Action* – After a complaint or action request is received, the HO determines whether the situation is within its remit. It then contacts the agency in question and initiates an investigation;
2. *Assess the Situation* – The HO conducts field visits and communicates with all stakeholders, analyzes the situation against codes of practice, and determines if actions appeared fair and reasonable in the circumstances;
3. *Facilitation and Outcome* – The HO facilitates discussion and counsels agencies to find their own solutions; it attempts to reach consensus, then determines the appropriate remedy;
4. *Distil Lessons* – The HO provides formal feedback to agencies and beneficiaries; develops recommendations for best practice; prepares an official report; and follows up recommendations (Doane 1999: 9).

The feasibility study was clear that the Ombudsman would be "underpinned by the principle of flexibility" (Ombudsman Project 1998b: 3). There was also consensus that the Ombudsman would address the application of the Code of Conduct and the Sphere Standards (Doane 1999).

The Ombudsman struggled with diverging visions on its Steering Committee, as is acknowledged in a number of archival documents (Ombudsman Project 1998c, 1999b).

However, as the Phase II report noted, "although there was some divergence of opinions regarding the eventual role of a Humanitarian Ombudsman, the major potential functions agreed to include: for an Ombudsman to be a proactive listener to local populations; handle complaints and concerns that arise; and scrutinise NGO adherence to accepted codes of practice" (Ombudsman Project 1999b: 3). Even as proponents debated various details, it was commonly accepted that the initiative must center on the "beneficiary voice" (Doane 1999). The goal of the project was to increase accessibility and impartiality, to "give people an active voice in a system that otherwise could leave them powerless" (Ombudsman Project 1998b: 13).

Proponents of the Ombudsman envisioned it filling two roles. First, it would establish which agencies were acting within the humanitarian consensus – i.e. abiding by the common codes and principles. Agencies that failed to share these basic norms would "effectively be blacklisted." Second, the Ombudsman was to monitor, advocate, and facilitate reform within the system and use codes of conduct to counsel agencies to reflect "on how their institutional rationales increase action and accountability to beneficiaries and fit the overall performance of the humanitarian community" (Christoplos 1999: 136; Mitchell and Doane 1999). In interviews, the former Ombudsman staff emphasized the second role – that of facilitator – over the first – that of enforcer (Int. 60, Int. 61). This was apparent in the Ombudsman feasibility study, as well, which called for "incentives before sanctions" (Ombudsman Project 1998b: 24). However, it was undoubtedly the enforcement aspect that received the most attention.

Despite general acceptance of the need to improve accountability to local

populations, the HO was received warily outside of England. Writing in 2000, Nick Stockton observed:

> It is worth noting that our efforts to promote greater accountability to legitimate humanitarian claimants through the promotion of the Humanitarian Ombudsman Project has met with outright opposition from some of the Code's signatories. While some are fearful of unrealistic expectations and unreasonable litigation, others are opposed in principle to subjecting the humanitarian act of compassion to technical, legal or contractual norms (Stockton 2000: 19).

This was recalled in my interviews as well (Int. 34, Int. 48, Int. 60). An Ombudsman figure recalled that outside of the UK, NGOs were "very hostile to this" (Int. 62). There were two main reasons. First, there were concerns – and often misunderstandings – about the Ombudsman and its objectives. Second, the HO's proponents had difficulty demonstrating the wider applicability of the project outside of Britain.

Much of the debate focused on enforcement. Ian Christoplos, a Project Researcher, noted that agencies had different perspectives on the proper role of standards, particularly on the balance between punishment and incentives. One camp of organizations felt that the Code of Conduct and other standards should be used to constrain and punish deviant agencies. For others, standards were flexible guidelines to facilitate efforts at learning and practice with the Ombudsman in a supporting role (Christoplos 1999: 127). Indeed, one of the most oft-heard fears was that the HO would be used to enforce Sphere's technical standards; this was the critique made by French agencies like MSF and URD (Int. 32, Int. 53). This perception bemused the HO staff. Said one: "there was a lot of talk about policing. But how on earth would we police?" (Int. 61). Another was "mystified and fascinated" by the talk of enforcing Sphere;

"there's no way in a million years that this had anything to do with Sphere" (Int. 60).

However, there *was* an element of truth to this concern. The Project's documents consistently make the claim that the HO would enforce accepted humanitarian standards, by which it meant the Code of Conduct and Sphere (Ombudsman Project 1998b: 20). Moreover, as I have indicated, proponents of the Ombudsman were staking out a strong position on what was ailing the humanitarian system and how it should be constituted. As Christoplos wrote in 1999:

> The HAO should not work from a basic assumption that all actors have a role to play in the humanitarian arena. The Codes provide a basis for identifying those actors that share a basic set of common humanitarian values. Those that do not, including those international agencies that are too incompetent to provide a significant contribution, should be publicly labelled as such. Donors, host authorities and the humanitarian community should naturally be encouraged to treat these actors as being outside the humanitarian consensus (Christoplos 1999: 136).

The initiative would play a role defining the boundaries of the field – who is and is not humanitarian; this is an *essential* attribute of self-regulation. Similarly, Nick Stockton, who would later become HAP's executive director, argued that there was a need to "drive a wedge between those that do comply and those that only want to sign for purposes of window-dressing. The membership rules of the humanitarian club, as defined by the Code, need to be much tougher" (Stockton 2000: 21). The Project's founders were not going to shy away from a "public critique of some international agencies, local institutions and individuals, if they demonstrate that they do not share our basic moral values, i.e., that they do not operate within the broad moral frameworks of the Codes." This could require a "joint decision to isolate certain actors who are making the situation

worse" (Christoplos 1999: 132-3).

These ideas were not always warmly received. Despite the backing of the British Red Cross, the HO reported "strong opposition" from the rest of the Red Cross family. The ICRC was particularly concerned that the Ombudsman's remit might include issues related to protection (Doane 1999). Participants recalled this as partly territorial – the ICRC did not want someone edging into their domain of action (Int. 60) – and partly philosophical – French skepticism of accountability, elaborated in Section V, permeated the ICRC system (Int. 62). Similarly, UN agencies were wary, with the UN Office for the Coordination of Humanitarian Affairs labeling the Project "threatening" because there was the implication that NGOs "would shame the UN into becoming involved at a later date" (Ombudsman Project 1999a). InterAction offered mixed support; its members were somewhat supportive, but InterAction's head, Jim Bishop, was personally opposed to the HO, as well as to ALNAP (Int. 60, Int. 62).

Some of this is attributable to the word "ombudsman" itself. Deborah Doane, a Project researcher, explained that "French agencies (in which we might include the ICRC) have difficulty with the whole notion of an Ombudsman. French societies have no similar function and there is no direct translation. This has led to possible misconceptions regarding the nature of what an Ombudsman is" (Doane 1999: 9).

There was also ambivalence about the appropriateness of the Ombudsman and, subsequently, HAP's focus on complaints. A Sphere veteran argued that the complaints emphasis was "a negative force" (Int. 57); this came up in the HO's own studies, as well (e.g. Apthorpe and Mayhew 1999). Indeed, despite numerous studies conducted by the

Ombudsman and HAP, it is far from clear that complaints mechanisms are universally appropriate or effective. For example, Kirsti Lattu's HAP-sponsored study of complaint mechanisms and sexual abuse in Kenya, Namibia, and Thailand found that the question of complaining is "still a conundrum for most of the beneficiaries" (Lattu 2008: 3). Lattu encountered fears of retaliation, confidentiality, shame, and community conflict. Some respondents even felt that efforts to prevent sexual exploitation and abuse (PSEA) had *increased* stigma and discrimination (Lattu 2008: 32-4; HAP 2008e: 43-4). Studies in other cultural contexts have found similar anxiety from beneficiaries about retaliation and social cohesion and from aid staff about losing their jobs (Csáky 2008 ; Davey et al. 2010: 14; IRIN 2008 ; HAP 2011a ; Bainbridge 2011 ; Beattie 2011). HAP responds that these fears can be alleviated through more information (HAP 2008a), but it is apparent that doubts remain about how best to achieve accountability.

Second, Ombudsman documents suggest that the perception that the Project was British – in location and cultural context – was pervasive and damaging. For instance, there was a call for further internationalization of the Project at a Steering Committee meeting in December 1998, where it was also acknowledged that "the choice of location is symbolically important – London may be a poor choice to 'headquarter' the project (Ombudsman Project 1998c). This came out also in consultations conducted in the United States in 1999 (Ombudsman Project 1999a). However, UK agencies also feared a loss of ownership were the Project to be moved. There was also a sense that debates over accountability were much further advanced in the UK, where people were very comfortable with quasi-regulation (Int. 62).

Despite these misgivings, the Project was, in fact, internationalized. At the conclusion of Stage III, in June 2000, the Humanitarian Ombudsman Project moved from London to Geneva and hired an executive director. The Project was also rechristened the Humanitarian Accountability Project.

The transition from HO to HAP was a critical juncture. Under new leadership and outside of London, HAP shifted direction. As Agnès Callamard, HAP's first Executive Director, framed it, "by March 2000, it had become clear that other accountability mechanisms needed to be considered. Thus, the HAP was created to identify, test and recommend a variety of accountability approaches" (Callamard 2003). Callamard wrote that, compared to a sector-wide Ombudsman, "a more cost-effective and sustainable way of ensuring accountability to beneficiaries is therefore to work through existing operational agencies and ensure that individually, but preferably collectively, they implement strong accountability mechanisms" (Callamard 2006: 189). HAP undertook five research projects in Sierra Leone, Afghanistan, and Cambodia to test different accountability mechanisms, concluding that accountability would best be served by the creation of an international self-regulatory body. This was a dramatic shift from the light, field-based Ombudsman. Fourteen humanitarian agencies endorsed this recommendation in January 2003, and the Humanitarian Accountability Partnership International was officially registered in Geneva in March 2003 (HAP 2011d ; Callamard 2003).

For many of the former Ombudsman staff, it was *anything* but clear that other accountability mechanisms needed to be tested. The general view was that the change in

direction was less a product of the research conducted than it was a case of new people "wanting to shape the thing in their own way" (Int. 60). Two veterans spoke of the "suddenness" of the change from the context-specific Ombudsman (Int. 62; also Int. 64). The new location also played a role.[136] Several described the March 16, 2000 meeting in Geneva, which brought together major networks and principals, as pivotal. John Borton recalls this as the point at which "the consensus that had been established among the members over the previous two and a half years fell apart as the concept of the Ombudsman came in for questioning and criticism from agency chief executives," some of whom had been represented by mid-level staffers and were only now realizing that a new accountability initiative was about to be launched (Borton 2012). The decision was made to pilot two models: an "Ombudsman-type" mechanism, with emphasis on listening and responding to the concerns of beneficiaries, and a "People's Advocate" mechanism, focused on canvassing local populations and representing broadly-based issues to decision makers in the humanitarian community (Ombudsman Project 2000).

Today, HAP International traces its heritage to the Ombudsman Project, and legitimately so. There was a very clear hand off from Ombudsman to HAP and both initiatives were motivated by an abiding concern that the needs and desires of local populations were far too often ignored by international aid agencies. For both, listening was at the core of beneficiary accountability, and complaints were a key element. However, the means by which accountability was to be achieved differed dramatically. Compared to the Ombudsman's field-based mechanism, HAP promotes enduring

[136] A longtime HAP Board member referred to the "cauldron of Geneva," an insular place where everyone knows everything that's going on (Int. 64). Another noted that the location in Geneva left the project vulnerable to forces with different interests; it was not surprising that it fell apart (Int. 62).

institutional change at the headquarters level.[137] Rather than directly enforcing other codes, HAP has its own HAP Standard. Instead of operating at the system level and directing complaints to the HO, individual organizations would be responsible for their own complaints. Certification, discussed in the next section, was also a novelty. These differences are presented in Table 4.

	Ombudsman	**HAP**
Standards	Monitor accepted Codes	HAP 2010 Standard
Locus	Roving field-based team	Headquarters-based
	Crisis to crisis	Intra-organizational
Role	Facilitation	Self-regulation; certification
Complaints	Directed to HO	Directed to agency

Table 4

Section IV – Faith in certification

A critical difference between HAP and the Ombudsman – and between HAP and most other humanitarian Q&A initiatives – is the fact that HAP promotes certification as the primary mechanism for achieving accountability. In this section, I demonstrate that the decision to pursue certification derived substantially from the ideologies of HAP's leading figures, who drew on models from public sector accountability in designing the initiative. I find that this strategy, while born of genuine conviction, has nevertheless been pursued in the absence of systematic evidence that certification is most effective, and even against the wishes of some of HAP's largest members. For HAP, certification has become synonymous with accountability and thoroughly embedded in the organization's own identity.

[137] As Sara Davidson framed it in HAP's "The Accountable Organisation," "changes in practices at field level… require broader transformations, in the first place at the level of the humanitarian organizations themselves and the value they may place (or not) on accountability in general and accountability to the beneficiaries in particular as a key determinant and characteristic of interventions and interactions" (Davidson 2002: 42).

In the HAP 2010 Standard, *certification* is defined as the "issuing of written assurance (the certificate) by an independent, external body that has audited an organization's management system and verified that it conforms to the requirements specified in the standard" (HAP 2011c). As I outlined in Section I, certification is the end result of an 18-month process that includes the development of an accountability framework and a quality management system, document review, and headquarters and field visits. As of April 2012, 13 organizations are certified and another 16 have undergone baseline analyses.

In 2009, HAP International commissioned an external evaluation of the Project. The author, Geoffrey Salkeld, commented on HAP's "single-minded emphasis on its version of compliance verification" and explained that in HAP's strategic plan:

> The phrase *'and to accredit its members accordingly'* in objective (4) has emerged as a leading edge objective, morphing into *'compliance verification through the HAP Certification process'*. This has been done quite openly and transparently… But it has been done without the whole-hearted support and engagement of some Member agencies and Board members. This has resulted in continuing tensions (Salkeld 2009: 6).

Salkeld also found a significant research gap, with "little field-level evaluation or assessment of the impact of the HAP certification on the quality of life, autonomy or dignity of beneficiaries." Consequently, he concluded, "the evidential platform for advocating the efficacy and widespread appropriateness of the HAP Certification scheme is not strong" (Salkeld 2009: 7).

Salkeld's evaluation was disputed by HAP, which added a disclaimer prior to publication. However, it is unclear which of Salkeld's findings were contested, and I

found considerable evidence in HAP's archives to confirm his specific findings on certification. Starting at the very second HAP General Assembly meeting in 2004, when a member noted that the 'business case' for beneficiary accountability "has not been properly developed" (HAP 2004b), there have been consistent calls by HAP members for evidence that HAP membership and certification makes a difference on operations. Similar comments can be found in the minutes of GA meetings in 2008, 2009, and 2010 and at Board meetings, as well.[138]

The issue of evidence also emerges in the *Humanitarian Accountability Reports*, HAP's yearly review of accountability trends in the sector. In the 2005 edition, it was found that the impact of humanitarian Q&A initiatives on beneficiary accountability appears limited because of stakeholders' "continued inability to measure their impact" (HAP 2006c: 11). In the 2006 edition, it was again observed that no systematic research was carried out to assess whether beneficiaries had received better quality service from HAP members (HAP 2007d: 30). In the 2007 edition, it was acknowledged that "benefits and cost-effectiveness of HAP's own certification scheme need to be demonstrated more clearly before initiating further moves towards setting up a certification franchise in Australia" (HAP 2008e: 52). In the 2008 edition, material reviewed indicated, again, that "more evidence is required from agencies… to convincingly demonstrate a clear 'business case' for improved accountability to intended beneficiaries and local

[138] At the 6th GA meeting (2008), a member proposed that a "research project for HAP would be to develop a business case on why it is good to be a HAP member" (HAP 2008a). At 7th GA meeting, numerous workgroups noted the slow rate of certification; one attributed this in part to the "lack of evidence to support certification" (HAP 2009a). In 2010, in the context of the slow adoption of certification, it was asked: "What is the impact of certification on beneficiaries?" (HAP 2010a). At the 15th Board meeting, the question was asked: "Where has change occurred and what is the evidence that HAP is making a difference?" (HAP 2009b: 3)

communities" (HAP 2009c: 62). As Knox-Clarke and Mitchell note in an October 2011 review of accountability, the sector still does "not have a precise understanding of the relationship between improved accountability to clients and improved performance" and has had "even less success in measuring results and impact" (Knox-Clarke and Mitchell 2011: 4).

To be fair, HAP is not unconcerned with evidence; quite the contrary. HAP's research output is considerable and its yearly *Humanitarian Accountability Report* is the bellwether for accountability in the sector. HAP has developed links with academic researchers and think tanks, including sponsoring a recent conference on "Improving Accountability to Beneficiaries: What Evidence is Needed?" (January 29, 2010). To date, though, most of the evidence is suggestive or anecdotal. For instance, since 2006, HAP has conducted an annual "perceptions survey" to gauge practitioner views of humanitarian action. These studies have found that, while there is a substantial "accountability deficit" with respect to beneficiaries, practitioners increasingly view themselves as attentive to beneficiary accountability.[139] There are also quite a few case studies of specific interventions and issues (e.g. Lattu 2008 ; Davey et al. 2010) and one has only to cull the pages of the yearly *Accountability Report*s to find evidence of HAP in practice. However, HAP has not been able to demonstrate that certified agencies perform better than uncertified agencies or that improvements derive from certification.[140] As

[139] In 2006, on a high-medium-low scale, perceptions of beneficiary accountability measured 19%-45%-40% compared to 82%-16%-2% for donor accountability (HAP 2006c: 16). By 2010, the deficit remained, but had closed: 37%-42%-21% for beneficiaries vs. 74%-23%-3% to official donors. In fact, accountability to beneficiaries was now perceived to exceed that to the general public and was equivalent to host governments (HAP 2011e: 71).

[140] Recent research by Tearfund also failed to find a clear link between implementation of HAP accountability mechanisms and the quality of services delivered (Bainbridge 2011).

Christian Aid has explained: "Because our membership is part of a whole move by Christian Aid it is difficult to identify what improvements are directly attributable to HAP" (qtd. in Salkeld 2009: 22). HAP's anecdotes do not distinguish between benefits derived from the policy and practice improvements that preceded certification, or from certification itself (Salkeld 2009: 48).

The evidence gap is not unique to HAP – I made similar observations for Sphere – and it also does not mean that certification is not, perhaps, the best direction for the sector. Given the complex and multivariate nature of relief operations, it is often impossible to fully assess or attribute impact. It does signify, though, that the decision to push certification was not made on the basis of overwhelming evidence in favor of this mechanism. Rather, it derives from the ideological priorities of HAP's founding figures, who were deeply influenced by neo-liberal reforms occurring in the private sector. In this perspective, quality comes out of transparency and competition;[141] the focus is on process, with the understanding that good practice follows from better decision-making and management procedures (Hilhorst 2002). According to former Executive Director Nick Stockton, HAP sees itself located within the Quality Management movement (also known as "Quality Assurance," and "New Public Management" (NPM)). "As such we believe that meaningful consultation with 'customers' is both an ethical objective and a strategy for achieving quality management of humanitarian action" (Stockton 2005b). This approach is methodologically individualistic; it views the public as users and consumers who hold service providers to account through accountability mechanisms and

[141] "I have no doubts about healthy competition. That's the way the market, when it's working with a degree of regulation around it, will be good for beneficiaries" (Nick Stockton, qtd. in IRIN 2009)

by seeking other providers. As McGee and Gaventa found in a recent review of accountability debates, NPM has received prominent backing from the World Bank and impetus from increased stringency in aid budgets (McGee and Gaventa 2011).

These ideas came to HAP primarily from two individuals. The first, Agnès Callamard, was HAP's first executive director, hired during the handover from the Ombudsman. Callamard came from the human rights sector, where public sector reforms had already had considerable influence, and was central to HAP's transformation from a floating field mechanism to an initiative pushing organizational change in its members (Int. 60). The second, Nick Stockton, was a key figure in Sphere and the former Emergencies Director for Oxfam (UK). Though Stockton had been involved in the Ombudsman, including as part of the Steering Group – his influence ensured that beneficiary accountability would be pursued outside of Sphere – it was during his time as executive director at HAP (2003-10) that he had the most enduring impact on the initiative. While Callamard was more interested in the justice side and Stockton the enforcement angle, participants cited their agreement on the market approach (Int. 60, Int. 61).

The influence of the Quality Management movement on HAP International runs deep. Consider the extent to which the International Standards Organization (ISO) 9000 standard series guided the HAP drafting and design processes. The ISO 9000 series is the world's most established and recognized quality framework, used by around 897,000 organizations worldwide (BSI 2010 ; Verboom 2002). The HAP 2007 Standard was prepared in accordance with ISO guidelines for the development of international quality

management standards and is very similar in substance to the ISO 9000 quality assurance standard (Stockton 2008 ; HAP 2007d: 7). The review process for developing the HAP 2010 Standard was again guided by relevant ISO guidelines (HAP 2010b: 12; 2010d). ISO 19011 is also used to review performance of HAP's independent auditors on the Certification and Accreditation Review Board (HAP 2010b: 34). HAP has followed ISO closely for guidance on accreditation and certification, "not necessarily because it's the best, but because it's the one that's around, and it is the international standard" (Int. 11). HAP acknowledges that "while it may be argued that humanitarian action is not simply a 'product' or 'service', and that the intended beneficiaries are not just 'customers', the core ISO objective of promoting quality management is exactly analogous with HAP's transformative agenda for the humanitarian system…" (HAP 2004e: 2).

HAP's discourse also reflects the influence of the Quality Management movement. As Everett and Friesen note in a recent article, HAP's core documentation is infused with business language, including language of 'product,' 'quality,' 'customers,' 'costs,' and 'value' (Everett and Friesen 2010). Indeed, terms such as 'customer' and 'product' are found throughout HAP's *Guide* to the Standard (HAP 2008c). Everett and Friesen argue that the business script is "helping re-form its members' identities as commercial identities" (Everett and Friesen 2010: 476).

Everett and Friesen charge that HAP "uncritically embraces business concepts and ideas, unaware of their power to effect and form a commercial identity" (Everett and Friesen 2010: 482). This is an important insight, though I would emphasize that this language *has* been subject to debate within the organization. For instance, while Everett

and Friesen single out HAP's use of "beneficiary" in place of "recipient," "victim," or "disaster affected person," HAP staff were deeply uncomfortable with the term. At the very first HAP Board and Advisory Committee meeting in 2003, Executive Director Callamard acknowledged: "We are convinced that the use of the term 'beneficiaries' does not send the right signal" but indicated that an alternative had not been agreed upon (HAP 2003c ; also HAP 2008c: 8-9). In fact, the *2010 Standard* drops the term entirely, replacing it with the more unwieldy – but less "inappropriate" – phrasing "people the organisation aims to assist" or "crisis-affected people" (HAP 2010c: 6; 2010d: 5). However, dropping the term "beneficiary" does not signal a change of approach; HAP continues to situate itself in the quality assurance movement, dedicated to enabling organizations to meet the "needs and expectations of its customers" (HAP 2010d: 6-7).

Certification itself is an important element of NPM, as it provides agencies a means to demonstrate their quality to their consumers. Certification, like the quality management framework of which it is a part, is now a constitutive part of HAP's identity. As one of its staffers explained, and as is claimed in numerous documents, "it's the fact that we verify, that's what makes it different" (Int. 37; Int. 17; HAP 2010a ; 2010e: 61). A senior staffer remarked that "HAP is original. There is nothing like it" (Int. 51). HAP's organizational prestige has become tied up in advancing its concept. Salkeld suggests that "advocacy (for beneficiaries) has become entangled with – and possibly to some extent identified with – advocating for HAP (i.e. promotion)" (Salkeld 2009: 20, 54). This is exemplified by the *Humanitarian Accountability Report*s, which serve a dual, occasionally conflicting role: on the one hand, they are assessments of the progress

made by the sector in integrating accountability; on the other, they are also something of an annual report for HAP itself. Consequently, growth in field-wide accountability is often conflated with increases in HAP's membership and the spread of HAP certification (e.g. HAP 2009c: 64; 2010f: 7).

There are undoubtedly strategic benefits for HAP if certification is equated with accountable practice, but the major drivers have always been principled and ideological.

Section V – A HAP divided cannot stand: HAP's fraught existence

Previous sections have alluded to the turbulent nature of HAP's brief history. A staffer acknowledged that "HAP has been cautiously received by the sector" (Int. 11). Veterans of the initiative have called its early history "terribly fraught" (Int. 62) and "a tough period" (Int. 64). As another put it, "there's a lot of blood on the walls" (Int. 61). From funding difficulties to struggles to build consensus on accountability mechanisms to institutional transformations, HAP has faced a series of acute challenges since its birth.

In this section, I outline three major cleavages that have characterized HAP's development: consistent opposition from major French agencies; an inconsistent relationship with the Sphere Project; and internal divisions, particularly between the Secretariat and the rest of the initiative. In Section VI, I attribute HAP's difficulties to aspects of organizational identity and leadership personality. Specifically, HAP was created as a challenge to a humanitarian system that had, in the views of its founders, substantially lost its way. HAP's strategy for humanitarian reform bears the unmistakable imprints of its founders, with its strong, uncompromising stance on certification and enforcement.

From the Ombudsman era to today, HAP has faced consistent, concerted opposition from major French aid agencies, including Médecins Sans Frontières (MSF) and Groupe URD. For its critics, HAP, like Sphere, is part of a worrisome humanitarian tendency to shift responsibility for political issues from political actors (states) onto NGOs, and, subsequently, onto disaster stricken populations. These agencies also question whether accountability is a meaningful, much less achievable, objective (Int. 58). As Austen Davis, former head of MSF-Holland, has framed it:

> The degree to which a humanitarian worker can be accountable to people in societies that have been destroyed from within is questionable… Not everything is our fault and we cannot fix everything. We have to be clear what our responsibilities are… A sectoral or systemic attempt to generate humanitarian accountability has little currency. It blurs responsibilities and differences of capacity… Each organisation has to negotiate the terms of access and action with all the parties it confronts… (Davis 2003).

As I discussed in Chapter 4, the French criticisms of HAP and Sphere derive fundamentally from different understandings of humanitarian action.[142] Specifically, MSF and URD are deeply uncomfortable with the proposition that one can ever develop universal, or context-independent, rules for action. This was acknowledged by HAP staff, who attributed MSF's opposition to their "internal organizational philosophy" (Int. 11, Int. 10).

French agencies suggest that one casualty of the search for universal standards and metrics is humanitarian values themselves. Austen Davis writes that accountability systems tend to focus on discrete events and services that are easy to monitor, and avoid

[142] As an Ombudsman figure put it, there are different approaches between northwest Europeans and southern Europeans. "In Kosovo, for instance, the English sent the technocrat; the French sent the philosopher" (Int. 62).

measuring and comparing less tangible services like compassion and care. However, he contends, in crisis, "the important thing in such circumstances is that someone is there to witness what is happening" (Davis 2007: 18). Everett and Friesen agree: "there are no measures that would seem to capture the suffering of the victims of calamity and disaster, suffering of course being a central moral issue for humanitarians" (Everett and Friesen 2010: 477; see also Bendell 2006: 63).

I would argue that the fundamental issue is not that initiatives like HAP are subordinating humanitarian values; I have already indicated that HAP's approach is deeply imbued by its principled critique of power, and its performance monitoring tools are designed to be contextual. Indeed, HAP's own field trial in Sierra Leone emphasized that "the variety of contexts in which such mechanisms will operate will undoubtedly rule out a 'mechanical mechanism', and the word 'permanent' should not in any way constrain the continued learning process or limit adaptability" (qtd. in Borton 2012). From the earliest days, the Project accepted that "humanitarian emergencies do not necessarily permit the framing of clear, explicit rules and set-piece enforcement procedures" (Ombudsman Project 1998b: 16). A senior HAP staffer recalled pushing back at a member who requested a visual flow chart of what a complaints mechanism and information system should look like. "I said, 'Well, I can't, because the first thing in the book is ask the beneficiaries what they want. If I give you the flow chart and it doesn't fit what they want, I've already told you to do the wrong thing. Go ask them'" (Int. 37).

Instead, the issue is that HAP's philosophy reflects the influence of models of accountability that French agencies – as well as other actors – find deeply troubling.

Rosie McGee and John Gaventa have come to a similar conclusion in their review of accountability debates, suggesting that ideological and epistemological differences have been articulated as methodological debates (McGee and Gaventa 2011). At the core, these critics are ambivalent about the consumer-oriented model of accountability that undergirds HAP's work. For MSF-France's Fiona Terry:

> Humanitarian action is not a commercial enterprise that can be judged according to market forces. The 'clients' to which this initiative refers are not consumers, but victims of some kind of abuse that has left them powerless to meet their own needs. To imagine that they will organize of their own volition to oppose the people that came to assist them is utopian… (Terry 2000: 21).

The end result of the complaints mechanism is to shift responsibility from political actors to the victims themselves (Terry 2000 ; Grünewald et al. 1999).

These critiques closely resemble those made of Sphere, and have often been made in the very same publications. For advocates of beneficiary accountability, this represents a conflation of HAP (and the Ombudsman) and Sphere (Int. 60). After all, the beneficiary accountability movement is not promoting universal technical guidelines and prides itself on its attention to context and listening. There have also been significant tensions between HAP and Sphere over approach, as I outline below.

On the other hand, HAP and Sphere genuinely do have much in common; there are legitimate reasons why critics of self-regulation would group the initiatives together. HAP and Sphere share a seminal moment in Rwanda and a commitment to professionalized and technically proficient humanitarian action.[143] Both are ambitious

[143] The Ombudsman was intended as a tool for reflection on the nature of the humanitarian profession (Christoplos 1999: 134). HAP, in turn, is cited by members as a key means of professionalization (HAP 2008a).

attempts to shift humanitarianism from good intentions to more updated bases. Both situate themselves in International Law and human rights.[144] HAP is clearly part of a set of regulatory currents that emerged out of the Code of Conduct, a heritage it shares with Sphere. One of the Code's drafters called HAP the "evolution" of the Code of Conduct, in the sense that it includes a complaints mechanism, which was in the original design of the Code (Int. 14, Int. 27) and one of Sphere's founding figures noted that the Ombudsman, and later HAP, filled the accountability gap left in Sphere.[145] HAP even enforces Sphere, as most organizations include Sphere Standards in their accountability quality management systems (Int. 64, Int. 11). As is almost universally acknowledged, the same people have been involved in all of these initiatives – it's very much an Anglo-Saxon approach (Int. 15, Int. 52, Int. 53, Int. 58, Int. 62).

The fact that HAP and Sphere have so much in common makes it all the more surprising that their relationship has never been as close as envisioned. While it would be inaccurate to characterize it as overly conflictual – recall the discussion of Q&A group meetings and joint endeavors outlined in Chapter 4 – it has certainly been punctuated by moments of tension and periods of neglect. This is illustrated by the consistent demand from HAP's members and Board to bring the accountability initiatives closer together – one can find evidence of this in meeting minutes throughout the history of the initiative

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[144] Like the Code of Conduct, Sphere, and the Code on Images, HAP shares a foundation in human rights. Bendell remarks that HAP's approach is based on a rights-based view of people's access to humanitarian relief and development (Bendell 2006: 19). For HAP, accountability is a "right of anyone affected by the use of authority" (HAP 2010d: 1). HAP's public presentations clarify HAP's international legal foundation in the Universal Declaration of Human Rights, International Refugee Law, International Humanitarian Law, and other key documents (Munn 2008 ; HAP 2007c: 8; see also Beyani 1999).

[145] "We didn't get anywhere with the idea of building in accountability to Sphere… John [Mitchell] was starting this idea of the Ombudsman, and we basically said, 'Look, we'll support you in this idea, because we're not getting anywhere in Sphere with the idea of accountability, and the Ombudsman Project morphed into HAP International. So, in a sense, the accountability bit of Sphere is what HAP became" (Int. 15).

(HAP 2004b, 2006a, 2007a, 2011a, 2007b). Most recently, in 2011, HAP acknowledged that even the Q&A group, to that point the strongest effort at bridging the various humanitarian Q&A initiatives, was losing steam.[146] A HAP Board member called the lack of accord between HAP and Sphere "grossly irritating" (Int. 64).

HAP and Sphere's complex relationship dates to the beginning of the Ombudsman, when the failure to integrate accountability and enforcement into Sphere led accountability proponents to create a separate initiative. When HAP shed its project status in 2003, it attempted to organize a series of meetings among the directors and Boards of the major humanitarian Q&A initiatives and networks, including Sphere, ICVA, and ALNAP. They were rebuffed. The episode, captured in the minutes of HAP's first Board meeting, is worth quoting at length:

> The origins of HAP (the ombudsman project) are linked to Sphere. The Ombudsman Project was set up to ensure that Sphere standards were implemented. However, when HAP was set up, both Sphere and HAP worked very hard to dissociate one from the other. HAP did not want to be perceived as Sphere enforcing mechanism, and vice versa. Since then, it has been difficult to patch up the relations between the two initiatives. So far, the future of Sphere does not seem to have been associated with HAP International. In fact, it looks as if the future of Sphere is imagined without HAP International! When HAP International was set up, some members of Sphere management committee were very clear that they did not want HAP International to monitor the implementation of Sphere standards. The reason might be "territorial" or because they envision the creation of a Sphere specific policing mechanism (HAP 2003b: 2).

The following year, HAP was actually approached by Sphere to be part of their

[146] "It is a disappointment therefore, that in a context of increased opportunity that the very forum that brings the various Q&A initiatives together appears to be losing steam rather than providing energetic leadership. From three meetings a year in 2007 and 2009 and two meetings during 2008 the Q&A Group managed to hold just one meeting during 2010" (HAP 2011e: 56-7). This was acknowledged in an interview as well (Int. 51).

Management Committee, something HAP saw as a "symbolic move" (HAP 2004d: 4). However, their application was subsequently rejected for reasons that were unclear to HAP staff (HAP 2005). Efforts at joint consultation in 2008 and 2009 again failed.[147]

Relations between Sphere and HAP show signs of improving since 2011, as evidenced by the Joint Standards Initiative (JSI), which I assess in the concluding chapter. The JSI provides a framework for closer integration, including a common board, among HAP International, the Sphere Project, and People In Aid. This has yielded considerable, but guarded, optimism. A HAP Board member noted that the leadership was invested in the process (Int. 64); another veteran called it "historic" (Int. 65). However, a former Ombudsman staffer was more cautious, calling it a "biannual ritual" (Int. 61). "Watch this space," the HAP Board member concluded.

The final cleavages have been within HAP itself and relate, ultimately, to the question of certification. In his independent evaluation, Geoffrey Salkeld wrote that HAP, though a membership-based organization, "has become increasingly Secretariat-driven" (Salkeld 2009: 6, 24). This is reflected in the comments of various Board members, who reported that the Secretariat was "exceeding its mandate" and the Board was "insufficiently engaged," acting as a "rubber stamp" (50). This has emerged as an issue in my own research (Int. 34, Int. 60, Int. 64).

The fundamental issue is not the Secretariat's leadership, per se, but the fact that this leadership has promoted certification. In the HAP evaluation, certification emerged as the "most controversial issue" and the root of "considerable tensions in the relationship

[147] At the GA meeting in 2010, CARE International expressed frustration at the lack of coherence between Sphere and HAP. HAP responded that 2009 was a golden opportunity for a joint consultation plan; "unfortunately, the Sphere Project colleagues did not find this to be a suitable approach" (HAP 2010a).

between the HAP Secretariat and some Members" (Salkeld 2009: 36, 48). As one member phrased it, "putting certification at the top of HAP's advocacy agenda without the general agreement of the membership has undermined efforts to promote HAP's vision and mission" (qtd. in Salkeld 2009: 12). I encountered similar sentiments in my research. A former Board member explained that "there's this tension about whether certification is the only root to accountability and whether HAP should really be encouraging all forms of accountability, not just certification, but keeping certification as a long term objective, perhaps" (Int. 34).

This certification issue is deeply rooted. At the very first Board and Advisory Committee meeting in 2003, it was noted that HAP had had difficulty with some NGOs because "the regulation component of HAP International creates this fear" (HAP 2003c). At the second General Assembly, in 2004, one organization expressed concern that "the accreditation program will challenge the 'raison d'être' of many of our networks. Could change the dynamics of power between existing networks" (HAP 2004b). At the second Board meeting, also in 2004, it is written:

> Some Board members expressed their concerns regarding the introduction of an accreditation procedure; the fears behind the word accreditation and the risk of being seen as being accredited by the donors (associated members of the Partnership). Nick [Stockton] reaffirmed that the HAP-I Statutes (Article 5 point 4) place an obligation upon us to establish an accreditation system (HAP 2004a: 4).

These are not isolated examples.[148]

[148] This exchange, at the 6th GA (2008), is telling: "CH: Certification itself is not the ultimate goal. If certification is required for membership this may cause problems." "NS [Nick Stockton, ExD]: HAPs basic mandate is to verify that members comply with the HAP principles. The development of the certification process has taken 4 years and is the means chosen by the GA and Board to verify compliance. Certification must be a core part of our work since a unique feature of HAP is that membership involves a commitment to external verification of compliance. If we do not do this, what would it mean for the status of HAP membership? To drop compliance verification would remove HAPs reason for existence. The question is,

While there are plenty of Board members and, increasingly, members who view certification as "nonnegotiable" (Int. 64) or "sacrosanct" (qtd. in Salkeld 2009: 42), HAP's membership has been divided. This is reflected in the slow pace of certification. By 2009, for instance, only 28% of the certification target, or 5 organizations instead of 18, had been achieved (HAP 2009a ; 2009c: 177). In 2010, it was asked why certain members do not want to get certified and whether certification should be mandatory (HAP 2010a). The Secretariat has undertaken numerous efforts to change HAP membership categories to provide additional incentive for certification. A 2008 proposal would have changed categories from "full" and "associate" members to "certified," "partner," and "associate" members. This proposal was not approved by the Board, leading the Secretariat to express regrets that certification was not obligatory for full members (HAP 2008e: 58-9).

Wariness of certification is not uniform across HAP's membership. As of April 2012, every single one of the 13 HAP certified members is a small to medium sized organization, including agencies like the Danish Refugee Council (Denmark), Tearfund (UK), and Sungi Development Foundation (Pakistan). On the flipside, despite being, in several cases, founding members, large agencies like World Vision International, CARE International, Save the Children UK, and Oxfam GB have not made substantial progress towards certification, nor have they shown interest in proceeding along these lines (HAP 2007a ; 2008e: 107; Salkeld 2009: 39). HAP's Board has noticed this, asking "what makes small and medium organisations opt for certification?" (HAP 2009b: 3). As a

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are there other methods to do this? At the moment, we do not have alternative models, nor has the Board and GA decided to develop them" (HAP 2008a).

former Board member explained, "certification is problematic, in particular for multi-mandate organizations. Oxfam finds it difficult to certify the entire organization or just to certify the humanitarian part of the organization; World Vision is the same thing" (Int. 34). Another Board member admitted that the process was "too heavy and onerous," but that certification makes HAP unique (Int. 64).

Now, just because an agency is not certified does not mean that it does not use the HAP Standard. For instance, World Vision's accountability framework is taken almost word for word from HAP (Int. 36). However, in the words of a HAP staffer: "I think all of the examples of success stories that we can talk about are medium size organizations with fairly simple structures, and I think we're perfect for that because we need leadership in the organization to drive it and to hold it" (Int. 37). As a senior HAP staffer put it, these members have found a "niche" in HAP (Int. 51). Another senior staffer explained:

> These medium-sized agencies have big ambitions, so if they're going to outgrow their size, if you like, they see the way to do it is to improve these systems, to improve our relationship with beneficiaries, to improve the quality and have an evidence of the quality. If you're an Oxfam or a Save, people give money in the street to you. You just have a bunch of teenagers with a basket, you almost don't have to do anything because your brand recognition is so great (Int. 36).

This is an important point. One consequence of self-regulation is that, if successful, it alters the state of the game by providing new strategies and reorganizing the distribution of capital in the field. Mid-sized organizations see HAP as a means to gain prestige in the field by latching onto a growing area of interest – quality management.

It is worth mentioning that HAP has traditionally relied on its largest members for

funds, advocacy, and legitimacy. Until funding formulas were reworked in 2011, HAP received substantial financial contributions from its large organizations. Between 2008 and 2010 Oxfam GB, WVI, and CARE International collectively contributed over CHF 170,000 in funds and earmarks, with similar numbers in previous years (HAP 2010b). In 2010, WVI and Lutheran World Federation also seconded staff members to the HAP teams in Haiti and Dadaab (HAP 2011b: 11). In its early years, HAP also relied on the large organizations to approach institutional donors (HAP 2004c: 4-5). From a rationalist perspective, it does not make much sense for HAP to antagonize its largest members.

Section VI – Identity and personality

While certification has proven to be the flashpoint, HAP's internal difficulties, as well as its relations with the rest of the field, stem from aspects internal and, arguably, integral to the organization, to its challenging history and to the identities and styles of its founding figures.

HAP was founded as a challenge to the humanitarian system that existed post-Rwanda. For Nick Stockton, in particular, the aid endeavor had devolved into a "humanitarian circus" characterized by the "work-hard-play-hard rituals of staff addicted to overtime, stress, booze and sex" (Stockton 2000: 20). Stockton, explained a veteran HAP Board member, was deeply impacted by his experiences in the refugee camps of Zaire during the Rwanda response. He saw the failure of Sphere and other initiatives to adequately take up enforcement and accountability as a betrayal of core humanitarian principles. This led to his "go it alone" mentality (Int. 64). As he later wrote, "if just a fraction of the resources devoted to coordination (which often looks like the machinations

of a clique of oligopolists closing ranks) were instead devoted to a quality assurance system, including the funding needed for managing meaningful complaints and redress mechanisms, I am certain that we would see a dramatic improvement in the quality, impact and reputation of the humanitarian system" (Stockton 2005b).

Even outside of Stockton, the beneficiary accountability project was fundamentally a shake to the system. One of the Ombudsman's founders noted that the HAP argument was that "the system has to change" (Int. 60). A longtime Board member agreed: "HAP has always been fueled by a sense that something has to change; it was founded with an element of anger, which inflects its culture and energy" (Int. 64). HAP does not see itself as offering minor course corrections; rather, it perceives itself and its members to be playing "an important leadership role in humanitarian reform" (HAP 2011c). Similarly, HAP's first executive director, Agnès Callamard, has written of HAP's "transformative agenda" (Callamard 2006: 184; also Davidson 2002: 42).[149] HAP's ambitions came out in staff interviews; one envisioned a future when 75% of humanitarian organizations might be certified (Int. 10); another noted that HAP was "trying to change the whole global system" (Int. 37). It is revealing that the HAP 2010 Standard dropped "Humanitarian" from its title to signal its applicability to all manners of an organization's operations. This is quite literally illustrated by the cover of the publication, which shows an arrow composed of multiple points of light, ostensibly pointing the way to improved quality and accountability (HAP 2010d).

[149] This is reflected in HAP's General Assembly panel debate topics. In 2004, the topic was "This house believes that it would be in the best interests of humanitarian beneficiaries to find an alternative to UN led humanitarian coordination" (HAP 2004c: 3); in 2008, the topic was "How will one small standard make a giant leap for humanitarianism?" (HAP 2008a).

The methods promoted by the Ombudsman and HAP International derived directly out of its founders' critiques of the system. The preoccupation with listening, complaints, redress, and, ultimately, certification and enforcement reflected a deep desire to correct some of the power imbalances inherent in the humanitarian endeavor, and a belief that, absent strong mechanisms, large agencies would just as soon circle the wagons than reform.[150] This view of the humanitarian field is world weary, even pessimistic, because it assumes that enforcement and certification is essential to the reform process; agencies will not do it on their own. This is at the root of what several respondents called Nick Stockton's "big stick" approach to accountability (Int. 62, Int. 64). The obstacles that this movement encountered then created a feedback loop that reinforced a perception amongst its partisans that they were fighting a lonely battle against a self-perpetuating system. Its style turned some people off, but it brought others on (Int. 64).

In many ways, HAP has been "evangelical": there is a purity of doctrine and a traditional unwillingness to pursue strategies that might introduce compromise or corruption. As one of the Ombudsman's founders framed it, "they've staked out high moral ground and put a HAP flag on it" (Int. 60; also Int. 61). This is why HAP and Sphere, while having much in common, have nonetheless so often been at loggerheads. As a HAP Board member reflected, the two initiatives have fundamentally different

[150] Salkeld found that HAP staff dismissed large members' skepticism over certification as "fear of having their programmes exposed" (Qtd. in Salkeld 2009: 47). I encountered similar sentiments. For instance, a senior HAP staffer suggested that large organizations did not want certification because they were "beyond the sovereign" (Int. 51); another explained, "everybody goes back to the same donors, same funding mechanisms, and why would you have someone come in to the organization that might show that you're not as good as your competitor" (Int. 11).

strategies (Int. 64). Inherent in Sphere is a belief that consensus – a big tent strategy – is the route to reform, and it is up to individual agencies to follow its indicators. HAP's response is that previous standards have been aspirational and unverifiable. As a senior staffer observed:

> I think that is why HAP irritates people, aside from other reasons that we've been irritating in the past, that we don't let them get away with just saying, "We've done training," or "We've signed up to HAP like we've signed up to the Code of Conduct," that we actually keep pushing it… So HAP will come along and say, "So you keep saying you're signed up to Sphere, whatever signing up means, you've got copies of the handbook. How do you make sure it's used and it doesn't just sit around?" (Int. 37).

HAP staff were generally praiseworthy about the level of detail captured by Sphere, but questioned its ability to effect change on the system. As one staffer put it, "I think the Sphere handbook has had its day, but people don't pay attention to it as much anymore" (Int. 11). Another called it a "dictionary" (Int. 37). A Board member was more generous in his assessment of Sphere, noting that its Standards are widely owned and utilized, but *perhaps* not adhered to. "It's improved programs, but do we better listen? It's hard to say" (Int. 64).

Consequently, any attempts to bridge HAP and Sphere, such as the Joint Standards Initiative, must consider to what extent these approaches are compatible, and whether it is possible to pair an approach that favors orthodoxy and purity with one that is based in consensus and the idea of the open tent.[151]

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[151] This also explains why HAP and People In Aid have had a relatively close relationship. They have published a memo of understanding recognizing the shared "common commitment" to enhancing humanitarian agency effectiveness through certification and calling for enhanced collaboration (HAP and Aid 2009 ; HAP 2010e: 22) and HAP has recently committed to achieving certification against the People In Aid Code (HAP 2011b: 16). The main factor is that HAP and PIA share a common approach to

Questions of method and approach have been difficult to disentangle from issues related to personality and leadership. In my interviews, I was repeatedly told that the personalities of staff at HAP's Secretariat had presented an obstacle to the initiative's expansion. A Catholic Relief Services staffer admitted, "frankly, for us, one of the big issues at the time was Nick Stockton. He had a capacity to enter a room and repel 90% of the people in there in three minutes" (Int. 43; also Int. 53). This individual contrasted this with her experience with Sphere, who "simply were not arrogant." As one of the Ombudsman staffers put it, Nick was "the biggest firebrand in the humanitarian sector; he had a reputation" (Int. 61). This was not limited to Stockton; as an Ombudsman founder reflected, "in general, the psychology and influence of individuals is a very big issue in HAP" (Int. 60). Several veterans of the initiative noted that HAP's first co-directors, Agnès Callamard and Koenraad van Brabant, had strong and conflicting personalities; they were "two extremely headstrong people who didn't get along with themselves or with others, much less with their own board" (Int. 61; also Int. 60).

What is apparent is that the personalities of the founding figures have been internalized into HAP's organizational identity. Salkeld referred to HAP Secretariat's "defensiveness" and what some members call an "aggressive style" (Salkeld 2009: 7, 27). "Command and control" style leadership is what one Ombudsman veteran deemed it (Int. 60); a HAP Board member called it "forthright – probably over so" (Int. 64). HAP's initial struggles have imbued the Secretariat with a sense of "fighting the good fight." Said a HAP staffer: "When we're looking inward, we feel, oh gosh, we're not as loved as

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humanitarian self-regulation; these are the unique examples of humanitarian codes with certification and compliance mechanisms.

Sphere, but partially that is because it's much harder to be part of our 'club' than it is the Sphere club" (Int. 36). Similarly, in 2008, when HAP bid farewell to the Board's first chair, Denis Caillaux, and a staff member, these individuals were remembered "after four years of keeping faith with a vision that was once dismissed as naïve and impracticable in fora as far removed as Davos, Darfur, Aceh and Abbottabad" (HAP 2008e: 41).

HAP staff acknowledged that they had been forceful and unpleasant in the past. Said one, "we *did* have this idea that we had to go into organizations and the way to do it is like *this*" (Int. 36). Another referred to "shock tactics" and recalled that HAP "used to pressure people and be unpleasant about it and we got told point blank that the reason that Australian agencies hadn't joined to that point was that they didn't like our approach, that we were too pushy when people from HAP had come out and done presentations" (Int. 37). There is a sense that HAP no longer has to engage in these tactics; as a Board member put it, "we *had* to go through this" (Int. 64).

It is apparent that, in the past – if perhaps not in the future – personality and leadership style greatly inflected HAP's relationships with other actors. This was one of the most unanticipated findings of my research; it emerged, entirely unprompted, during at least a dozen interviews. And, though I was told that personality played a role at times for the Sphere Project (e.g. Int. 33, Int. 46), there was generally consensus that it mattered much more for HAP. As one of the Ombudsman's founders put it, "you can see the future of an organization in its inception, and when you get particular types of characters, like you've had in HAP, it gets inscribed in the organization" (Int. 60; also Int. 62).

Given that the research on organizational fields has been far more attuned to

group and social dynamics than to agent-level characteristics (c.f. Fligstein 2001), this is an important finding. It suggests that individual attributes – personality and leadership style – can have an enduring impact on the success or failure of the initiatives of which they are a part. It also bears recognizing that some of International Relations' most familiar concepts – socialization and suasion, norm entrepreneurship, and even soft power – actually implicitly hinge on some recognition that the attributes of the entrepreneur matters. (Some call this "we feeling"). As scholars of socialization and social influence have argued, those "like us" are likely to have the greatest success compelling social change (e.g. Johnston 2008 ; Risse 2000). While parts of this are reducible to identity – for example, Nick Stockton was shaped by his experience in Rwanda – aspects are more elemental; do people like each other? Do they get along?

Conclusions

The tide appears to be turning for HAP International and beneficiary accountability. Though 2011 was characterized by internal disruption, with the departure after only one year of HAP Executive Director Angela Raven-Roberts and the attrition of half of the Secretariat staff, 2012 began with optimism. The appointment of a new executive director and new staff hires have brought the promise of a reset in relations between HAP's Board and Secretariat. Though HAP was "at the brink" in 2011 (Int. 65), as a sector veteran phrased it, the infusion of fresh blood in the Secretariat has, by all accounts, enabled a break with the post-Stockton era and the more confrontational approach of the past (Int. 64). More importantly, despite turmoil in staffing, membership has continued to rise at a steady pace.

The biggest field-wide shift has been the gradual acceptance of beneficiary accountability, something noticed by HAP staff, who report "no longer having to convince people that accountability is an important thing. Our influence in that is really changing our position" (Int. 37). Largely as a result of the advocacy of HAP members, beneficiary accountability is included in ECHO's risk assessment guidelines and DFID (UK) and SIDA's (Sweden) funding guidelines. HAP certification is actually *required* to receive Danish aid and development funding and there have been similar discussions about requiring certification for DFID (UK)(HAP 2008e ; 2009c: 29; 2006a). Indeed, one of the UK Government's Humanitarian Policy's seven key policy commitments in 2011 was that beneficiary accountability be made a core element of DFID's humanitarian work (HAP 2012).

Perhaps most symbolic of the growing acceptance of HAP's method has come from the field's major institutional centers of gravity. In 2011, the Inter-Agency Standing Committee (IASC), which comprises the key UN and NGO networks, adopted an Operational Framework for Ensuring Accountability to Affected Populations in Humanitarian Emergency as part of its broader "Transformative Agenda." The framework is aimed at increasing beneficiary accountability in all phases of the program cycle; the 2011 Sphere Handbook and the 2010 HAP Standard were used to verify the framework. In February, and again in April, 2012, the IASC Principals agreed that all IASC organizations should commit themselves to include accountability to beneficiary populations in all relevant statements and policies by the end of 2012 (HAP 2012). On the NGO side, in 2011, the Steering Committee for Humanitarian Response (SCHR),

which is made up of nine of the largest international networks or agencies, began to seriously explore NGO certification (HAP 2012). In October 2011, Charles-Antoine Hofmann, the SCHR's executive secretary, came out personally in favor of some form of humanitarian certification (Hofmann 2011). A HAP Board member called SCHR's move towards certification "huge" as it is an endorsement of what HAP has been saying (Int. 64). The endorsement of beneficiary accountability by the field's major players signals a possible paradigm shift.

As the HAP story illustrates, the motivations for, and subsequent contestations over, self-regulation derive primarily from different understandings of the proper practice of humanitarian action. Beyond the specific technical requirements contained in codes, one of their primary functions is to advance alternative models for humanitarian action. The debates over HAP underscore the contingency of self-regulation: even where there was agreement that something needed to be done to reform humanitarian action, there was nothing inevitable about which initiatives would emerge, on what issues they would focus, and how they would be governed. Self-regulatory initiatives are vehicles for promoting change in the field; as HAP demonstrates, they are also, themselves, sites of contestation. When the 'driver' of the vehicle changes, as happened in the handover from Ombudsman to HAP, this can have tremendous implications on the regulatory project.

Which ideas are promoted has consequences for the positioning of players in the field and the rules by which their actions are governed. As an Ombudsman staffer reflected, "the debates were very much power plays about who should rule and how humanitarianism should be done" (Int. 62). Another added that "it was definitely a bit of

a battle of positions. Who would lead the big quality initiative?" (Int. 61). This had very clear implications for the HAP/Sphere relationship.

Ch. 6 – Norm Entrepreneurship at the Margins: Regulating Images and Messages

As humanitarianism has expanded as an industry, so too has public awareness of its actions – for both positive and negative. Manifested in heightened public scrutiny of NGOs, media criticisms have fed into a perception in the field that humanitarians must reflect on – and reform – their principles and practices. In Chapters 4 and 5, for instance, proponents of both Sphere and HAP International were keenly aware of the increased level of scrutiny of humanitarian practices. While media coverage is not the primary driver of self-regulation, it has certainly increased the overall incentives. How NGOs are depicted in news media has clear implications on public perceptions, fundraising, and operational independence.

Questions of representation have thus very clearly been present in previous chapters, but always at the background level, and always with a focus on the media's impact on NGOs. This chapter turns the lens in another direction, to look at the impact of images and messages on perceptions of the global South. Specifically, it looks at NGO responses to issues of representation, efforts that date to the aftermath of the famine in Ethiopia in 1984-85. Ethiopia was a watershed for humanitarianism, an event that elevated aid and development from a sideshow into a major topic of public interest. Galvanized by Band Aid and Live Aid – the latter viewed by an audience of two billion – public awareness of and funding for humanitarian action reached record levels.

The problem, for many in the sector, was that media attention was being fueled by distorted and simplistic narratives and dire, even apocalyptic, images of human suffering. In their influential *Images of Africa* (1987) report, Oxfam's Nikki van der Gaag and

Cathy Nash [Midwinter] reflected that this "was not the first time that the media had used such images… The fact that this time the famine images became the currency of the media and the NGOs created a particular public consciousness of Africa" (van der Gaag and Nash 1987: 1). Shocked by the graphic nature of these representations and fearing that the very images used to raise awareness of their work were simultaneously undermining it, a group of British development educators drafted the Code of Conduct on Images and Messages Relating to the Third World (1989). This innovative document, one of the earliest attempts to codify aid and development principles,[152] challenged NGOs to improve their public communications by paying attention to their core values.

This chapter focuses on the Code of Conduct on Images and Messages, especially on the case of Ireland, where, in 2004, development educators resurrected and revised the original Code. Paradoxically, the Code on Images[153] is an important case *precisely* because it is so peripheral to other efforts at codification. Whereas the Code of Conduct, the Sphere Standards, and HAP International comprise the largest actors in the field and are supported by the main networks and donors, the Code on Images is ultimately the product of a small group of committed actors operating largely outside of the institutional centers of power. Nevertheless, the circumstances of the Code's birth evoke in striking ways key themes elaborated in previous chapters: its drafting occurred in a context of organizational growth and change; its framers recognized quite clearly that the era of good intentions was coming to an end and sought to develop a principled code to guide NGO practice. Consequently, though peripheral to the main initiatives, the Code on

[152] One of the drafters called it "the first code of conduct, per se, that I can remember" (Int. 44).
[153] For shorthand, I refer to the initiative as the Code on Images. This is not intended to minimize the fact that ethical messaging is equally important to the Code.

Images testifies to the widespread nature of the changes to the humanitarian organizational field and underscores the argument that self-regulation is not confined to the major players; it is a generalized humanitarian phenomenon.

In addition, I find that the Code on Images, like the more well-known initiatives, has had specific ideational functions in the field – functions that extend beyond the letter of its codes and commands. Though directed specifically at image and message production, the Code is also, more generally, a statement on the proper practice of aid and development. Specifically, it is an effort by development education (Dev Ed) to provoke discussions in Ireland and Europe on the place of principled action in a field increasingly dominated by fundraising considerations. More generally, it is a response to a perception by actors in the field that traditional ways of organizing action are no longer sufficient.

This chapter is organized in a similar fashion as other chapters. Section I introduces the Code on Images and fleshes out its institutional settings in Ireland and Europe. Section II traces the origins of the Code, first in the United Kingdom in 1989, then in 2004 in Ireland. I source the initiative to principled critiques of image usage by development educators in an institutional context defined by growth, professionalization, and bureaucratization. The main drivers for codification were internal. Section III looks at the principles of practice embodied by the Code, with specific attention paid to cleavages between development educators and fundraisers and between large and small organizations. Sections IV and V address the Code on Images' institutionalization and impact. I find evidence of considerable uptake in Ireland, where the Code has also served as a precedent for subsequent regulations. In Europe, its impact has, to this point, been

considerably more uneven. In concluding, I discuss the importance of a central office in motivating and monitoring efforts at reform.

Section I – A Code for Images and Messages

The current Code of Conduct on Images and Messages is the descendent of the original Code, passed in 1989. Drafted and adopted by Dóchas, Ireland's national aid and development platform, in April 2007, it was then adopted by CONCORD, the European NGO confederation for relief and development, in June 2007. In Ireland, the Code has 66 signatories, as of March 2012, including Dóchas' 43 members; at the EU level, it is up to national platforms to devise models for promotion and adoption.

The Code on Images was written by NGOs in the areas of emergency relief, development, and development education (Dev Ed) and applies to images and messages used to *inform* (media and education), to *sell* (marketing and fundraising), to *convince* (advocacy and policy), and to *account for* (reporting)(Dóchas 2008c: 2). It is intended as a framework on which organizations can build when designing and implementing their communications strategy. The Code's goal is that organizations "portray the reality of the lives of people with sensitivity and respect for their dignity," that "images and messages should seek to represent a complete picture of both internal and external assistance and the partnership that often results between local and international NGOs," and that organizations "avoid images and messages that potentially stereotype, sensationalise or discriminate against people, situations or places" (Dóchas 2007a). For the full text, see Appendix III.

The Code on Images is a principles-based Code, much like the Code of Conduct

for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief (Ch. 3). Principles-based codes are organized around broad statements of values. Consequently, as the guide to the Code notes, the Code on Images is "not a prescriptive check-list of 'correct' and 'incorrect'. Instead, the Code is a set of guiding principles that seeks to create a mindset and ethos within our organisations about how we represent the stories and situations of others" (Dóchas 2008c: 7). In the words of a former volunteer, "these codes of conduct help us all to reflect carefully about what we are portraying and whether more damage than benefits are gained in terms of their relationship with and impact on the public and opinion shapers" (Rooney 2008). Thus, there are no right or wrong answers; the spirit of the Code is most important element (Dóchas 2008c: 16). The sole exceptions are the provisions that images be used with the full understanding, participation, and permission of the subjects and that agencies record whether subjects wish to be named, and act accordingly.

The 2007 Code broadly resembles its 1989 antecedent; they differ more in form and tone than content. The 1989 Code was lengthier (1929 versus 829 words) and included sections specifically addressed to fundraising (General Assembly of European NGOs 1989). It lacked specific instructions on gaining permission and identifying name and place in published images. Differences in tone and language are most significant. By 2007, the language of "Third World" had been removed, not so much replaced as stricken from the document; the 2007 Code does not refer specifically to any one place, instead calling for images and messages to be chosen based on the dignity and equality of "all people." Language of solidarity has been replaced by themes of partnership. And

the updated Code lacks the evangelical tone of the previous edition. Whereas the 1989 Code was "*addressed to* European non-governmental organisations" (emphasis added) and concluded "it is now up to you to use it," the 2007 Code "has been written by NGOs working in the areas of emergency relief, long term development and development education." The change in language, as well as the elimination of the specific section on fundraising, was intended to make the 2007 Code more approachable.

In Ireland, Dóchas, the Irish Association of Non-Governmental Development Organisations, played a central role drafting the Code of Conduct and continues to be a focal point in pushing implementation and creating supporting materials for training and interpretation. The Code was drafted through Dóchas' Development Education Group, a "small, close-knit" group in which roughly 30 Dev Ed organizations are represented (Int. 18). Dóchas has organized numerous trainings, convened yearly workshops, and produced supporting materials, including a poster and a "Guide to Understanding and Implementing the Code" (Dóchas 2008c). In 2008, Dóchas also hired a communications officer to aid implementation of the Code (Dóchas 2008d ; 2009a: 7). Irish NGOs have cited the importance of Dóchas' role in providing institutional support for implementation, especially to smaller organizations that had difficulties in the initial roll-out (Int. 5). To be a member of Dóchas, NGOs are required to sign the Code on Images and report yearly on implementation.

At the European level, the main bodies are DEEEP and CONCORD. CONCORD is the European NGO Confederation for Relief and Development, representing more than 1600 NGOs. It consists of 15 working groups, including the DARE Forum, which covers

development education. All states and organization networks are represented in each of the working groups. DEEEP is located within the DARE Forum (and thus within CONCORD); it is a coordinating structure and receives funding as a 3 year project from the European Commission. Within DARE itself there are additional working groups. During DEEEP 2, the Code of Conduct was one of the working groups and has continued to be a working group, as part of the communications group, in DEEEP 3, which began in the spring of 2010 (Int. 19; CONCORD 2007). An institutional diagram can be found in Appendix IV. Like Dóchas, DEEEP has convened a number of training sessions and seminars on the Code.[154] National platforms are given considerable leeway on how they implement the Code. Dóchas, with its membership and reporting requirements, is at one end of the spectrum; Cyprus, Denmark, France, and Sweden, whose national platforms have not endorsed the Code, are at the other end (DEEEP 2011). In this chapter, I use DEEEP and CONCORD interchangeably.

Signatories to the Code on Images commit to several actions. They must *announce* the Code (in public communications and on their website), *institutionalize* the Code (assess communications annually, put the Code in the guiding principles, train staff, and ensure that suppliers, contractors, and media adhere), and *account* to the Code (put a feedback mechanism online, report to the national platform annually). Thus, enforcement basically consists of the annual reporting requirement.[155]

Dóchas' own reports suggest that certification "raises the rigor with which self-

[154] For example, seminars were conducted in 2009 in the Czech Republic and in 2010 in Latvia (DEEEP 2010).

[155] The drafting team initially envisioned three levels for evaluation: self-evaluation at the NGO level, peer evaluation at the national platform level, and an award for outstanding compliance from CONCORD at the European level (DEEEP 2006: 15). Only the first (and arguably weakest) component is in place.

regulatory standards are applied" (Leen 2006: 12). Consequently, "it can be said that the inability to apply sanctions is a significant limitation of the Code" (McGee 2005b: 7). However, there was no consensus on enforcement mechanisms as the Code was drafted; as Siobhán McGee wrote in her review of the Code: "It was preferred that compliance remains voluntary as it was seen that NGOs as far as possible should retain responsibility for setting standards for their own activities… Peer review was seen as being a potentially divisive rather than an affirming approach" (McGee 2005a: 7). There was also little support for making the Code a requirement for Irish Aid co-funding, organizations fearing for their independence (Int. 23).

There are two main reasons why the Code has remained voluntary. First, there are "significant differences between people (often within the same organisations) about what is acceptable or not in this regard" (McGee 2005a: 8). As I note in Section IV, there is much debate as to whether images and messages lend themselves well to regulation. As such, one of the central goals of the Code on Images was that it "encourage organisations to have these internal debates"[156] (Ibid; also Int. 12). Second, though the Code on Images is backed by an institution – Dóchas in Ireland, CONCORD in Europe – these institutions lack the capacity, or even the mandate, to police the regulations (Int. 4). In fact, as a Dóchas staffer mentioned to me, it is a big enough challenge simply "to keep the Code alive in everyone's minds," let alone police it (Int. 5; also Int. 23). Dóchas is a

[156] From the same document: "The diverse perspectives that stakeholders (fundraisers, development educators, advocators and communicators) hold lies at the heart of ongoing debates within and about NGOs, and can be seen as reflective of the key challenge of achieving coherence within NGOs. Opportunities to discuss and establish dialogue across functions around these issues are not common. Herein lies an opportunity and a responsibility for Dóchas (and other national platforms) to facilitate and ensure a meaningful debate occurs" (McGee 2005a: 20).

very small organization with only one part time staff member devoted to the Code.[157]

I found that attitudes on enforcement may be changing for some of the Code's key players. In 2009, a Dublin conference on "Portraying the Developing World" yielded the recommendation that projects and programmes funded by Irish Aid should make signing up to the Code mandatory[158] (Boyle 2009; also Int. 2). And as someone close to Dóchas reflected in 2010:

> One of the weaknesses of the Code is the fact that it's toothless. At the beginning, I think, we didn't want to have this idea of carrot and stick with the Code. However, last year, after the research, when we were just looking at basic things, like on the website, we could see that there were gaps. Perhaps it's time to go with the stick. The idea was, well, what can we do to make those people think. The easiest thing for us – it doesn't cost us any money – was naming and shaming. We haven't agreed to do that, but we will see. (Int. 23)

In 2012, an extensive Dóchas Code review process found significant interest in strengthening the Code and improving compliance, but did not yield consensus on the appropriate mechanism. In general, participants in the process expressed more support for positive mechanisms – i.e. "naming," not "shaming" (Dillon 2012).

Section II – The origins of the Code of Conduct on Images and Messages

When the Sphere Project and HAP International were proposed, it was apparent that fear of external regulation was a feature of the drafting process. Though I have argued that those external pressures were not the dominant force driving regulation, donor pressures nonetheless weighed heavily on the minds of some and were used by key

[157] As someone else involved in the process observed, Dóchas does very well, but ultimately "there's less point in having a code or set of guidelines unless you have the resources to support organizations" (Int. 20).
[158] Irish Aid has repeatedly signaled its strong support for the Code (e.g. Downes 2010 ; Dóchas 2008a). As of 2011, Irish Aid now requests information about whether an organization is a signatory to the Code in some funding applications (Dillon 2012: 7).

figures to marshal support for their regulatory projects. With the Code of Conduct on Images and Messages, however, one of the drafters recalled that "the driver for the Code was pretty much coming from within the sector" (Int. 12). External regulation was not a significant concern. Siobhán McGee, the consultant hired by Dóchas to research the Code, has observed elsewhere that:

> The impetus for charity regulatory reform in the Republic of Ireland comes not in the wake of major scandals or a particularly high level of public discontent with charitable fundraising… It can perhaps be seen more as a preemptive move, reflecting the fact that changing times require more advanced approaches to accountability, and as an attempt to protect the existing high levels of goodwill and trust towards the sector (McGee 2007).

I found consensus among key figures that the Code had originated out of the general sentiment of the Dev Ed community and that there was not much public criticism at the time of drafting (Int. 4, Int. 13). This was also true in 1989 (Int. 40, Int. 41, Int. 44).

The Code, in 2007 as in 1989, came out of an essentially principled critique of the nature and impact of NGO and media communications. The 1989 Code asserts: "The combination of emotionally charged images and catchy slogans does make for good cinema, television and posters but recourse to sensationalism in order to attract the public's attention can mean that the less spectacular fundamentals of an issue are overlooked and the positive elements obscured" (General Assembly of European NGOs 1989). Oxfam's Peter Davis, active in drafting the 1989 Code and consulted during its revisions, has regretted that "the idea that pervades is that Africa is a broken, dusty place without food or hope… Many children in the UK simply don't believe there are cars, cities or mobile phones in Africa" (qtd. in Gidley 2005). In the aftermath of Ethiopia, aid and development workers began to realize that they shared a heavy burden in that "the

presentation of facts and the moral response to them are now so closely intertwined" (Holleufer 1996).

These principled critiques call into question one of the pervasive tendencies in recent academic critiques of humanitarian imagery, which rarely acknowledge that representative practices have evolved or that practitioners are the least bit aware of the implications of their productions on Southern populations (e.g. Douzinas 2007 ; Repo and Yrjölä 2011 ; Malkki 1996). On the contrary, like critically-minded academics, the drafters of the Code on Images were actively interrogating the implications of images and messages, critiquing their effects on understandings of the developing world, and raising questions about power and domination. Several of the 2007 Code's drafters even referenced recent academic research by Kate Manzo and DJ Clark during the course of interviews (Int. 4, Int. 20).

On the other hand, a critical approach to representation should still lead us to question one of the assumptions underlying the Code on Images, which is that it is possible, in some sense, to determine where the line exists between sensationalism and humanity. To the exhortations to "truthfully represent any image" or "avoid images and messages that potentially stereotype," one must respond with caution. The aspiration to truthfulness denies the essentially creative function of any representative practice. As Nelson Goodman has written, there is "no such thing as the real world, no unique, ready-made, absolute reality apart from and independent of all versions and visions" (Goodman 1992: 269). Consequently, much of the academic literature would challenge the premise

that a code of conduct can *ever* effectively address power imbalances, colonial legacies, and issues such as framing and decontextualization.[159]

The first Code on Images thus came out of reaction to the portrayals of the Ethiopian famine in 1984-85; "such images thrust Ethiopia's deadly famine into the global spotlight, helping to raise billions of dollars in aid. But the pictures also sparked soul-searching among aid agencies who felt they reinforced debasing stereotypes of Africa and robbed the subjects of their dignity" (Gidley 2005). A major player in the 2007 Code revisions recalled the "apocalyptic images" of the Ethiopian famine in the media that were bringing help, but in the process "destroying a lot of work they were trying to do about what the developing world was and what issues of development and poverty were about" (Int. 4; also Int. 42, Int. 41, Dogra 2007: 164).

The effect of these disaster images was highlighted in a major UN Food and Agriculture Organization/ European Community project called 'Images of Africa' (1985-88). The project brought together the UN FAO and European and African NGOs to critically examine information material dealing with Africa. *Images of Africa: UK Report* (van der Gaag and Nash 1987) was one outcome of this process; it leveled substantial critiques of British NGO communication policies and helped lead to the establishment of image policies within the major agencies (Clark 2009: 167). One of the

[159] For critiques on the use of images, see (Clark 2004 ; Clark 2009 ; Gyoh 2008 ; Benthall 1993 ; Kennedy 2009). In many respects, the framers of the Code have shown incredible nuance in their approach to images, such as in their treatment of representations of children. Staff at Plan Finland mentioned that, in consideration of the Code, they were trying to move away from portrayals of children as inactive and without agency (Int. 7, Int. 8); others were attentive to the critique that smiling children constitute a new stereotype (Int. 2, Int. 3, Int. 19). In this, they agree with Manzo (2008) and Benthall (1993), the latter writing that "to a large extent, 'positive' imagery is a lazy way out and lets INGOs ignore messy questions of power and ideology." Conversely, NGOs are unlikely to agree that childhood reproduces "tropes of innocence, dependence and protection [that] have a lineage in colonial ideology and development theory" (Manzo 2008: 636).

1989 Code's key figures recalled that the images used had "actually set back development in a number of ways… We were shocked by what we had found" (Int. 41; also Int. 44). Oxfam and Save the Children, were among several agencies that produced internal guidelines; these guidelines ultimately helped inform the Code of Conduct on Images and Messages Relating to the Third World (1989).

Initially, aid veterans recall that the Code had a positive effect in raising awareness about the consequences of atrocity images and messages. Training and education work was conducted within organizations and internal guidelines were widely disseminated (Int. 41, Int. 42). Many development NGOs adopted in-house standards and criteria for image selection and publication, and these standards were often institutionalized into organizational processes (Int. 40, Int. 44). However, by the millennium, one of the Irish actors noted, "everyone had forgotten those rules" (Int. 4, Int. 12). Dóchas research in 2005 found low awareness of the existence of the Code across the NGO sector, among donors, and among academics. Where it was known, few people could locate actual copies of the Code (McGee 2005a, Doorly 2005, Int. 1). One of the members of the Dóchas Development Education Group, entrusted with rewriting the Code, recounts: "We literally found out about it, so we knew about it because someone looked it up and found the text, but it wasn't a living document"[160] (Int. 3).

Thus, ultimately, despite its intentions, it is hard to say how much impact the 1989 Code had on images. "On the one hand," Concern's Michael Doorly wrote, "it

[160] "Nobody went through their images and their messages that they were using and their promotional material and went, 'Oh, hell, I wonder if it matches up to the Code,' in the same way they might be doing with this new Code" (Int. 3). Another key figure suggested that the original Code *never* had much buy in, due to its being developed in isolation and the perception that it was preaching to, not working with, fundraisers (Int. 12).

appears as though it has had none at all… In all honesty are we really much better off now in 2005 that [than] we were sixteen years ago?" (Doorly 2005: 2). If the 1989 Code left any legacy at all, it was, perhaps, the memory of the debate. Among those who knew it, "it was like a sore – it was very much an issue that it *existed*, for practitioners of fundraising, that it existed and that it was like an irritant, at least, that it had been brought about in that way and was so narrow in its approach" (Int. 12). Its primary legacy was the fact that it existed, and its existence enabled it to serve as a precedent for a new group of ideational entrepreneurs.

Though the 2007 Code lacked a defining event like the famine in Ethiopia, the motivations of its drafters strongly resembled those in 1989: there was a deep concern that the strong and partial nature of the images and messages disseminated by the aid and development community, in conjunction with the media, was ultimately undermining the work they were doing.[161] As one Irish NGO worker put it:

> What really struck me was that I saw images of black babies with flies actually flying around their faces. Major organizations! And those are the images that really portray the whole continent. It's not shown as a family, or a society, or a district, or a division, but as a continent. Raising funds for Africa… The language used is very paternalistic (Int. 2; also Int. 3).

There was a strong feeling among those behind the Code revisions that images and messages "had slipped back towards the 1984 apocalyptic-type images" (Int. 4); critics called it "development pornography" (Gidley 2005).

This is the context in which Dóchas, in 2004, proposed to lead development of a

[161] Code proponents continue to cite research to this effect, most notably the Voluntary Service Overseas' 2002 report on "The Live Aid Legacy" that found that 80% of the British public strongly associate the developing world with doom-laden images of famine, disaster, and Western aid (Downes 2010 ; see VSO 2002).

new Code of Conduct at the EU level (DEEEP 2004, 2006). The Irish platform commissioned an independent study by Siobhán McGee and set about revising the Code through both the Dóchas Development Education group and the DEEEP Code of Conduct Working Group (DEEEP 2005). Given the lack of initial awareness of the 1989 Code, the revisions were essentially a distinct process.[162] The resulting document, a Finnish member of DEEEP explained, "was really talked about very carefully in the European DEEEP forum, so in that way you can really say that that is the European NGOs' Code" (Int. 1; also Int. 44).

Without a doubt, though, it was the Irish Dev Ed community that took the lead role in pushing the Code. The Finnish DEEEP representative recalled that "Dóchas were very much promoting this and bringing it to CONCORD" and that many in CONCORD had never seriously reflected on the issues of representation (Int. 1; also Int. 3). DEEEP publications confirm the special role of Dóchas, noting that the Irish NGO platform volunteered to take the lead because "the promotion of codes of good practice is explicitly part of Dóchas's mission" (DEEEP 2008). Interviews testify to the importance of Irish representatives like Lizzy Noone, who was Dóchas' DEEEP representative during the Code revisions.[163]

Participants in the revisions suggested that the Irish entrepreneurs had real credibility on this issue. First, they benefited from Ireland's long history in development cooperation, its historic neutrality, and its non-colonial legacy (Int. 1, Int. 2, Int. 4). Irish

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[162] Several of the original figures were consulted, including Oxfam's Peter Davis, Nikki van der Gaag, and Cathy Nash Midwinter, but, as one of the old guard observed, "the movers and shakers behind the 1989 Code have mostly moved on" (Int. 42).

[163] Remarked a colleague, "Lizzy did a lot of work on actually getting the Code through CONCORD" (Int. 18).

aid is seen as being untied, focused on health and education, and not on security or business benefits; this contributed to Ireland's reputation in CONCORD (Int. 3). Second, the Irish platform, Dóchas, pushed the issue with considerable energy. Dóchas claims to be one of the most active national platforms within CONCORD and interviewees concurred that there is "quite a dynamic staff at the secretariat" (Int. 1, Dóchas 2009a: 6). Promoting codes is a key part of Dóchas' strategic plan – self-regulatory initiatives, including the Code, are an important part of the platform's larger accountability strategy – and it had opportunities to do so given that, as two former DEEEP representatives explained, a lot of the new EU member states were not as advanced in their Dev Ed practices (Int. 18; Int. 44). Dóchas members considered the Code to be Dóchas' biggest achievement of 2007 (Dóchas 2008a: 15-6) and expressed to me that Dóchas had exercised considerable leadership in promoting the Code on Images (Int. 2, Int. 3).

Irish NGO staff opted to revise, not simply re-use, the Code on Images because they perceived that, in the 15 years since the original Code's publication, the aid and development environment had undergone substantial shifts. Dóchas' review of the Code highlighted EU expansion and increased contact with diversity, wider awareness of and support for a rights-based approach to development, the shift from a charity to a partnership approach with the south, and the advance of digital communications technology which had reduced NGO reliance on professional photographers (McGee 2005a). The evolution of technology has also expanded the ability of individuals and groups to critique agency practices.[164]

[164] One NGO veteran put the change as follows: "Before, it was just one-way communications, which means that you just throw your things and that was out, and they now know that actually the public cares,

However, the 1989 Code remained an important source of inspiration, not least in the lessons that were derived from its failure to be institutionalized. This was manifested in a considerable preoccupation with keeping the new Code alive, expressed in European Dev Ed newsletter articles written at the time by Code drafters Lizzy Noone and Michael Doorly and echoed in the McGee's scoping study (Noone 2005b, 2005a ; Doorly 2005).[165] The Code study found:

> The shift from policy to implementation or from principles to practice is widely agreed to be where the 1989 Code fell down. The absence of independent monitoring is perhaps consistent with the voluntary nature of the Code, which relies on the organisation's own motivation to comply. Missing however is supportive and practical guiding information for organisations on how the Code could become owned and institutionalised by signatories along with steps for self-evaluation (McGee 2005a: 9).

It concluded that ongoing investment and institutional guidance was essential to keep the Code living and relevant (Ibid: 16; also Int. 4). The most direct suggestion was that the NGO network take a central role raising awareness, promoting the Code, monitoring adherence, and serving as a focal point (McGee 2005b: 7). Dóchas has taken on this role in Ireland, promoting institutionalization within organizations, monitoring the completion of annual reports, and keeping the Code at the top of the agenda (Dóchas 2010c).

Section III – Situating the Code

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more and more; now they have their voices also. It is two-way communication" (Int. 5; also Int. 12).

[165] Doorly expressed hope that standards "will ensure that the code is not left alone atop a dusty shelf but rather will incorporate mechanisms that allow for those who sign up to it to be monitored and audited in their public awareness and education activities... It is clear that whatever form the revised code takes it will be essential that we find ways to make it a 'living' document that holds all its signatories to account" (2005, 2). Writing just after the drafting of the document, Noone (2005b) wrote that "fear of the 'dusty shelf' syndrome still looms over the Code crackers" (2), and one of the drafters recounted that within Dóchas, this was discussed "at length" (Int. 4).

At first glance, I have noted, the Code of Conduct on Images and Messages appears as a peripheral initiative. Whereas it is possible to identify clear links from the Red Cross Code of Conduct to the Sphere Standards to HAP International – links in personnel, organizations, and ideologies – the Code on Images falls outside of this narrative. Its origin is more clearly connected to development education; it has found its deepest expression in Ireland, far from NGO centers in the United States, the United Kingdom, Switzerland, Belgium, and France. This peripherality is deceptive. The Code arose in a broadly similar macro level context as other initiatives, one characterized by growth in the field, professionalization, and bureaucratization. Even in the absence of direct pressures from donors, drafters of the Code on Images were very aware that changes in the nonprofit environment had necessitated a rethinking of the ideational bases of action. Code drafters also looked broadly within the field as they sought models.[166]

As Chapter 2 demonstrated, efforts at humanitarian self-regulation have emerged in the context of a dramatic expansion in the numbers and size of delivery agencies. In Ireland, an astonishing 57% of Dóchas' members have been established since 1980 (Donnat 2007: 80). The Dóchas Strategic Plan 2005-9 "points out that a phenomenal growth in the NGDO sector has 'provoked greater awareness of the role and existence of charitable organisations. While broadly welcomed and supported by the public, this

[166] The review process looked in detail at five codes and referenced six additional initiatives. Of the 11 codes, only one – the Code of Ethics of the Institute of Engineers in Ireland – comes from outside the aid and development sector. The five codes studied in detail were: The People In Aid Code of Good Practice; the Australian Council for International Development (ACFID) Code of Conduct for NGDOs; the Red Cross Code of Conduct; the NGDO Charter; and the UN Convention on the Rights of the Child. I commented on the self-referential nature of the models to one of the framers, who noted that this might be seen as a weakness in the study or too narrow a focus, but "the flipside of that is that by and large the sector does not refer outside of itself too often and doesn't see that it has much in common with, say, the private sector" (Int. 12).

growth has also highlighted the need for greater accountability by NGOs about the way they operate, and about the values underlying their work'" (Leen 2006: 2). Growth has been accompanied by changes in the nature of aid and development organizations. In Ireland, a key figure reflected:

> There was a time when people who were working in the development sector were driven by passion, or by this 'thirst of social justice.' At first, it was the missionaries – they were the ones who were doing the humanitarian work, years and years ago. After that, the people who were doing it were the ones with passion. But now I think, more and more – I don't know if it's because now it's more formalized and professionalized, probably – and then this new element of recession hitting Ireland, which means that people have objectives, now. Charities are run like a multinational, especially the big ones like Concern. There are objectives there (Int. 5; also Int. 1).

The move to professionalize was exemplified by the closing in 2000 of the Irish government's Agency for Personal Service Overseas, a program which funded the sending of volunteers. Its closure was "partly a recognition of the move towards greater professionalization in the sector" (Int. 21). As I explain below, professionalization also appears as a value – professionalism – that signals better quality work. The Code on Images is, at least partly, an effort to promote greater professionalism.

Professionalization has coincided with bureaucratization and structuration. A 2006 Dóchas membership survey found a substantial increase in internal financial reviews between 2001 and 2006, a proliferation of personnel management policies, and development of formal hierarchical structures (Donnat 2007). For instance, 77% of organizations had an organizational chart in 2006 compared to just 43% in 2001. The survey also found increased peer network membership, reporting and review

mechanisms, and the use of quality and accountability mechanisms.[167] 86% of organizations reported applying the Code of Conduct on Images and Messages; significant percentages also reported applying the RC/NGO Code of Conduct (34%), the Sphere Humanitarian Charter, and the People In Aid Code, among others.[168]

Thus, in Ireland, as elsewhere, self-regulation occurs in a context of organizational growth, professionalization, and structuration. Ireland, then, is a microcosm of changes that have played out across the field. These changes fed into a realization on the part of the Code on Images' drafters that the ways in which action had previously been legitimated were no longer going to be adequate. "Traditionally, in Ireland," a key figure reflected:

> Most of the legitimacy is founded around that particular distinctive feature of a non-profit, the volunteerism, the volunteer board, and so forth… A lot of the giving and a lot of the asking was done on the basis of certain individuals who developed a strong persona or personality associated with the organization and a high degree of trust. After a certain point, that's not enough as a basis for giving or asking. It isn't sufficient. It was necessary to move from that to something that was more accountable and independent (Int. 12; also Int. 13).

This was a common perspective. Another Irish aid worker noted that the public is "increasingly questioning the legitimacy and the credibility of NGOs, so in terms of enhancing legitimacy, codes are quite important" (Int. 22). It was apparent among NGO staff that "good intentions are no longer enough" (Int. 21).

Indeed, though NGOs had largely escaped criticism, there was a realization that this would not last. The Code of Conduct on Images and Messages was drafted against a

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[167] 80% of members had implemented one or more quality and accountability systems and standards in 2006, compared to just 40% in 2001.

[168] These numbers are all the more remarkable given that only 20% of members work in humanitarian relief and development.

backdrop of increasing critique of traditional, respected Irish institutions. A veteran of the Irish non-profit sector told me: "We're very conscious of the fact that, ok, the Church has come under scrutiny, business, banking, government – we're next. You know, there's already beginning to be. And you have a generation now that aren't just going to accept that they're doing good. We've got to show that we make a difference, and therefore we've got to be transparent and accountable" (Int. 24). In a Dóchas report on accountability, it is acknowledged that the view of NGOs as efficient and effective service deliverers is no longer accepted on faith; "increasingly such claims are being questioned… What seems clear is that the age of blind faith in any institutions is over" (Leen 2006: 4).

I witnessed this firsthand over the course of my research trips. At a conference organized in Dublin in 2010 entitled "The Use of Images – A Human Rights Issue," one of the keynote speakers, Nigerian Ambassador Dr. Kemafo Chikwe, cited an advertisement she had seen from Irish NGO Sightsavers. The poster stated: "Being blind is hard. Being blind in Nigeria is harder." After joking that:

> [B]lindness is not one of the issues one hears in relation to Nigeria – it's usually 'corruption'! Dr. Chikwe asserted that this poster is an insult to Nigerians; that these messages and forms of fundraising should be discouraged; that these NGOs should not be absolved merely because they are engaged in altruistic activities (Downes 2010).

Good intentions are no longer enough.

My research found an Irish NGO sector preoccupied with securing legitimacy in the face of an altered public climate. A Dóchas study on accountability noted that because NGOs are not membership organizations, they gain their legitimacy from what

can be seen as more fragile grounds: expertise, working with partners, or from a background in a faith tradition. Many see greater accountability, including self-regulation, "as a means of raising their legitimacy and credibility among key policymakers and thus the effectiveness of their work" (Leen 2006: 4). For Dóchas, as for its members, the Code of Conduct on Images and Messages was a fundamental step towards greater accountability, professionalism, and credibility (Int. 19, Int. 20, Int. 22; Dillon 2012: 5). In its 2007 Annual Report, Dóchas called the Code the "first example of such mutual accountability in the Irish non-profit sector" (Dóchas 2008a: 5). At the European level, too, "CONCORD members see the Code of Conduct as an important basis for strengthening NGO accountability" (CONCORD 2007: 6), and the Luxembourg national platform commented that "questioning the messages and images disseminated by NGOs in Luxembourgish society is central to building the legitimacy of the development sector and mobilising people in the North to build a fairer world" (DEEEP 2011: 8).

Thus, while the Code on Images was explicitly concerned with images and messages, it was also, equally, a way to articulate the sector's identity.[169] Kate Manzo has argued that images of children and shared codes of conduct are "both means through which NGOs produce themselves as humanitarian. These NGO codes are neither simple reflections of common practice nor signs of uncontested identity. Rather, they are integral to a larger discursive apparatus through which humanitarian identity in general is constituted, revised, and reaffirmed" (Manzo 2008: 634). Indeed, Dóchas has stated that

[169] One of the drafters of the 1989 Code explained that the difference between a code of conduct, and a policy initiative, is that "a code of conduct suggests that organizations that are engaged in this field where we're all acting in a similar way need to be learning similar things, need to be questioning their own motives and practice" (Int. 44). In other words, it is, at the core, an attempt to create consensus and coherence.

the Code of Conduct on Images and Messages was designed as an expression of core NGO values and principles, such as human dignity, respect, and truthfulness (Dóchas 2008b). In interviews, key figures explained that "the Code is about communicating our values" (Int. 5; also Int. 3). Similarly, a DEEEP member called the document a "kind of tool to really make it happen for the values that we're talking about, because we're always reminding people that we are the value based organizations, and that we have our mission, and we have respecting human rights, and respecting this and that" (Int. 1).

From the Red Cross Code of Conduct to Sphere to HAP to the Code on Images, my research has found that self-regulation is also self-*representation*. Organizations are enacting their collective identity through codes of conduct. Like the Sphere Project, the Code of Conduct on Images and Messages is the expression of a rights-based identity for the field. It is driven by a strong commitment to dignity, equality, and the promotion of fairness, solidarity, and justice (Dóchas 2008c: 4; Leen 2006: 2; Downes 2010). This explains why the 2007 Code replaced the language of charity with partnership, thus exemplifying the philosophical shift from aid as a unidirectional beneficence to aid as a basic human right. Indeed, the 2010-2012 review of the Code observed that practitioners identified words like "charity," "saving," and "assistance" as 'bad practice' or 'grey area practice.' On the flip side, 'good practice' messages included words like "justice," "empowerment," and "working with" (Dillon 2012: 13). Rights-based values are now deeply embedded in Ireland. As an NGO veteran observed, "I couldn't think of an organization within Dóchas that doesn't have a rights-based framework" (Int. 3).

The Code on Images was quite consciously intended to stimulate debate within the field (Int. 3, Int. 44). Specifically, the Code is an effort by the Dev Ed community to provoke a discussion with fundraisers over the meaning of aid and development work.[170] Though the 2007 Code lacks the evangelical language of the 1989 Code – whose existence was a "sore" for fundraisers – its drafters were very clear that they wanted to engage with fundraisers on questions of principle. From the outset, it was accepted that diverse perspectives within organizations are reflective of a "key challenge of achieving coherence within NGOs" and that the Code on Images was "an opportunity and a responsibility for Dóchas (and other national platforms) to facilitate and ensure a meaningful debate occurs" (McGee 2005a: 20).

While the tone of the Code on Images has evolved, its nature – designed to reign in excesses committed in the search for funds – has remained constant. A Dev Ed worker close to the drafting process remarked that "Development Education viewed itself as progressive and sensitive to how it used images and messages, so it viewed itself as well placed to develop the Code of Conduct" (Int. 18). In nearly every interview I conducted in Ireland and Finland, the divide between fundraising and development education emerged, often unsolicited (e.g. Int. 2, Int. 3, Int. 4, Int. 12, Int. 20, Int. 41, Int. 44).[171] This "well-documented rift" has been discussed in academic literature as well (Manzo

[170] Dev Ed is on the periphery of many organizations; the code was a chance to take back the initiative. As a DEEEP member explained: "If development education takes an initiative, it's often a lot more difficult to push that initiative through, even if it is based on absolutely sound ideas, than if you came from the inner sanctum of an NGO, like the policy department, or the international division. Development education is always seen as a bit of a troublesome program within NGOs, because we are full of questions. Its status is on the periphery" (Int. 44).

[171] Because the Code was drafted by Dev Ed, a relatively larger number of my interviews came from representatives of this group. However, I found that fundraisers were also aware of the fundraising/Dev Ed tension (Int. 7, Int. 8).

2008). The divide is often framed as a battle between values and organizational imperatives. Ruth Gidley puts it as follows: "Whenever a sudden disaster strikes, aid agencies face a quandary – how to tug at donors' heartstrings with powerful images without breaking self-imposed rules about portraying survivors with dignity?" (Gidley 2004). The claim from fundraising is always that "softer images don't bring in the money" (Lizzy Noone, qtd. in Gidley 2005). An Irish development educator called this an "unthoughtful argument," the claim that only "bad images raise money" (Int. 2).

Rather than framing this as a contradiction between two objectives – fundraising versus values – I see the divide as evolving out of two different understandings of humanitarian action. On one hand, development educators see themselves as representing a humanitarian identity fundamentally rooted in values like humanity. On the other hand, fundraisers frequently enter the field socialized in business and marketing values. Their understanding of non-profit work is more closely tied to business metrics like efficiency, transparency, and growth. A figure close to the Code reflected that its guidelines were written with the fundraiser and communications person in mind. "Realistically," he said, "every Development Education person is going to be converted already – you assume that they're all going to be attracted by the idea that people's dignity, respect for the people, matters more than how much money you'll bring in. Whereas it's fairly intuitive that a fundraiser will say, 'Well, no, we can't raise funds because we can't do any work without these images.'" Consequently the Code was written "to challenge them, to say, 'Actually, you need to do this'" (Int. 3). If the 1989

Code "could be seen as a kind of preaching to practitioners of fundraising" (Int. 12), it is clear that there were elements of this in 2007 as well.

Section IV – Institutionalization and impact

My primary research focus has been on tracing the origins of humanitarian self-regulation initiatives, but I have also made efforts to assess impact on both meso and macro levels. While compliance has consistently been difficult to gauge in the absence of data, measures of institutionalization, combined with interviews, has said a great deal about the level of uptake of codes – and thus about the extent to which they have become part of the fabric of the field.

In Ireland, thanks to membership data and reporting requirements, it is possible to assess levels of institutionalization – though not, for reasons I discuss, to assess change in the images themselves. I find considerable and consistent progress towards institutionalization in Ireland, albeit with gaps, particularly with internalization in large organizations. Qualitatively, I find widespread optimism among practitioners within the field. While the same quality of data is not available across Europe, I note that uptake has been considerably more uneven, owing primarily to the voluntary nature of the Code and the absence, in many cases, of national level ideational entrepreneurs to push institutionalization. I also find that the Code has helped shift the nature of the aid and development debate in Ireland and served as a precedent for future regulatory efforts.

The Code on Images has been in effect since 2007. In many ways, then, it is still too early to draw strong conclusions about its impact. For many, the fact that the Code is still very much on the Dóchas and European agendas is in itself a success. This said, we

should not understate the Code's initial impact in Ireland. Dóchas' annual reports provide concrete evidence of fairly impressive institutionalization. Some of the highlights from the annual self-reports have been included in Figure 8.[172]

Dóchas' annual reports testify to strong increases over three years in basic measures of compliance, such as references to the Code and training. Even where percentages have remained stagnant, such as in annual reporting, it should be noted that overall numbers of signatory organizations have continued to rise. The 2010 reports show that 45 of 57 organizations had returned their surveys; in 2008, 27 of 38 signatories had returned surveys. There are also increases, albeit less dramatic, in areas that indicate deeper institutionalization of the Code. Thus, though the vast majority of organizations had appointed a Code champion and increasing percentages had developed an internal training plan, it is noteworthy that fewer than half of respondents had developed a training plan and only 41% indicated that they had developed a feedback mechanism for public accountability. Less than half (40%) also indicated that they had included implementation updates in their annual reports. In short, the picture painted by self-reporting is one of qualified progress, with marked improvement in some areas, reported compliance trending upward in most, and some lag in others.

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[172] These are internal Dóchas documents provided by Irish NGO staff not affiliated with Dóchas. The reports are cited as follows: (Dóchas 2008b, 2009b, 2010b ; Guthrie 2010). The questions were: % of organizations returning survey; reference to Code made in organization's publications; reference to Code on organization's website; copies of Code circulated to staff (including volunteers) and contractors; organization has developed feedback mechanism to facilitate comments on the organization's application of the Code; staff in organization took part in specific training on the Code; organization has developed an internal plan for staff training on the Code; organization has appointed a Code Champion and/or Responsible for the Code.

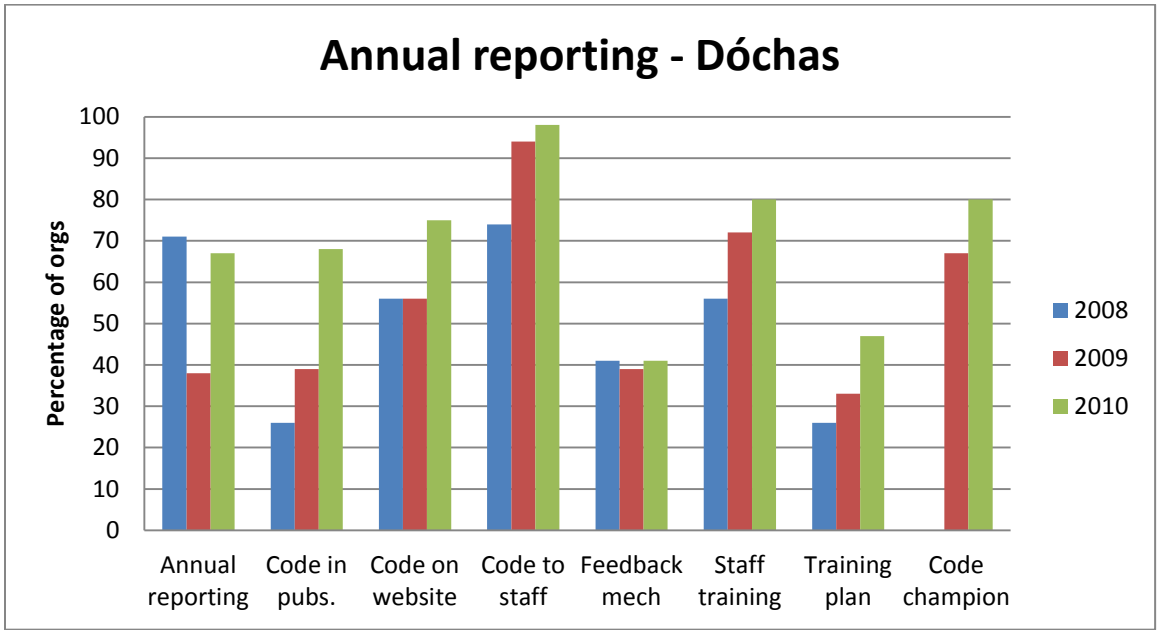

Figure 8

In 2010, Dóchas commissioned a consultant to assess signatories' compliance against the Code. The consultant looked at websites and online materials for all 57 signatories (at that time) to analyze basic compliance (Guthrie 2010). The study, while narrow, found broad levels of compliance with the Code, but also noted lags in terms of reference to the Code, its visibility, and the availability of feedback mechanisms. What was perhaps most striking was the gap between what the consultant observed of compliance and what signatory agencies had reported to Dóchas. Specifically, the study found much lower instances of the Code being published on agency websites and implementation of feedback mechanisms. It should be noted that the analysis was exclusively web-based. Moreover, the study was conducted in March and April 2010, whereas reporting data dates to June, so it is possible that the actual gap is not as dramatic as what is depicted in Figure 9. Also, my own research, conducted in 2012, closely

mirrored the self-reporting data from 2010. However, for Code proponents, gaps identified by the survey directly motivated renewed discussions about enforcement and naming and shaming. In fact, it could be argued that organizations that fail to announce the Code and implement a feedback mechanism are failing to implement the two key aspects of accountability (Int. 19, Int. 23).

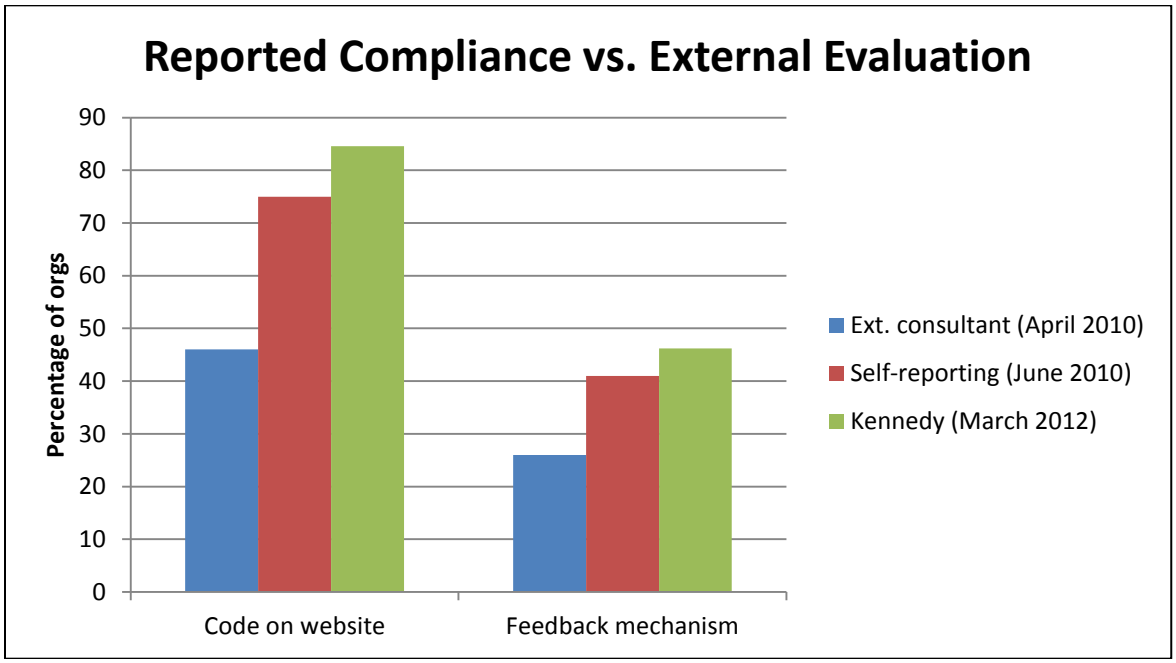

Figure 9

In Europe, the record has been much more mixed. While the DEEEP has continued to push the Code, including conducting a member survey on implementation in 2011, and the Code has been translated into 10 languages, there is a wide disparity among national platforms. Ireland, Luxembourg, and Austria have taken the most steps to promote the Code of Conduct. For instance, Luxembourg's national platform, the *Cercle de coopération*, has endorsed the Code, led multiple trainings, and conducted innovative exercises inviting the public to analyze NGO materials. Austria has conducted trainings

and is working to develop a country-specific manual for the use of the Code (DEEEP 2011). Other national platforms, including Belgium, Finland, Malta, and Portugal, have endorsed the Code and held trainings. However, progress in these countries has been slower. In Finland, I found strong support for the Code at Kehys, the Finnish national platform, and awareness of the Code at several NGOs, including Plan Finland (Int. 1, Int. 6, Int. 7, Int. 8, Int. 9). However, a recent DEEEP report found that few organizations are using the Code in their daily work. Finally, there are a number of countries that have failed to either endorse or promote the Code, including Cyprus, Denmark, France, and Sweden (DEEEP 2011).

The data highlighted here represents that which is easiest to measure about the Code on Images; it says little about the actual images and messages themselves. In my interviews, I encountered a tremendous *will* to see an impact and a perception that images have improved. The consensus tended to be that the Code was "hugely helpful" (Int. 19), that NGOs have made "loads of progress" (Int. 23), and that the Code is working (Downes 2010). As one DEEEP representative noted to me:

> I definitely think that you see less nowadays of the child with, you know,… barbed wire in their eyes to represent a particular illness… You look at Oxfam, they're all, 'I am David, I have a story, I have a life, I'm not just a cardboard image to elicit guilt, but I'm actually a complex person with a background.' So those kinds of images are now very strong, and I do think the Code has had an impact in that regard (Int. 3).

Similar ideas were expressed in numerous interviews (e.g. Int. 5, Int. 6, Int. 8).

However, if images have shifted – and this is an open question – this is not the same as saying that the Code has caused this shift. The same interview respondents who expressed confidence that images had changed could provide anecdotes, but accepted the

virtual impossibility of assessing impact on a macro level. As a Finnish development educator commented to me: "Of course, images have shifted, but the question is how much we, as the NGOs, have played the role in doing that. Of course, the environment is changing all the time – that's the fashion – you have to follow that, you can't take it out of the whole of society" (Int. 1). Little actual analysis of images has been conducted, and those studies that exist are considerably less sanguine than practitioners about improvement. In 2009, for instance, British academic DJ Clark suggested that:

> NGO usage of images has changed very little over the past 10 years, and that the concern for the nature of Majority World representation had not made a significant impact on the sourcing of images. Although 60% of the organisations surveyed in 2003 claimed they had changed the way they used images over the previous 10 years, the quantitative research revealed very little statistical differences (Clark 2009: 167).

Similarly, Kate Manzo has argued that the most powerful reflections of humanitarianism are found in images of children that violate the guiding principles of codes of conduct on images and messages (Manzo 2008: 635). It should be noted that although Manzo takes the 2007 Code into account, her writing is aimed at a more theoretical level. Furthermore, DJ Clark's research, dating to 1994 and 2003, also predates the 2007 Code. What is clear, though, is that the Code's impact on images is far from decided.

Much of this can be attributed to the subject matter – it would be impossible to find the "perfect picture" that tickets every box (Int. 3) – and to the breadth of the Code's language – "I like the fact that it's not an exercise about ticking the box, but it makes it difficult to apply" (Int. 20). Concerns are frequently raised about whether it is safe to name children (Int. 19), difficulties getting permission (Rooney 2008), finding ways to respect cultures without overly sanitizing images (Int. 7, Int. 8), and understanding the

"text-heavy" Code (Int. 19, Int. 20). NGO staff also note that the high volume of images they work with, the capacity necessary to police social media, and review requirements can all stretch resources, especially for smaller organizations. This came out especially in the first year of Dóchas implementation (Int. 5, Int. 4). These concerns have led Dóchas to pilot the development of an illustrated guide to the Code (Dillon 2012).

Compliance data also flattens out distinctions among different types of organizations. In my interviews, I found that small to medium-size organizations were more likely to report institutionalization of the Code; where they had failed, they were more likely to attribute this to a lack of capacity. On the other hand, large organizations, especially those with sizeable fundraising wings, tended to have more difficulty gaining and maintaining commitment at all levels of the organization. This mirrors my findings in Chapter 5, where I showed that HAP International has had the greatest success with medium-sized organizations.

Bigger organizations, I was told repeatedly, were "struggling. They're well-organized in their regular jobs, but perhaps they have too many departments – it would be easy for them to include Code in their existing strategy, but in reality I'm not sure that it's really translated as well as could be" (Int. 5). Another individual noted that "the bigger the organizations, the more challenges because they have to coordinate with more people, and it's all separate departments having their own objectives and targets of what they're doing, so I think it's way more difficult for those people even though they have the will to do something. Perhaps the will is not the same in all of the departments" (Int. 23). These are capacity reasons.

The universe of large Irish organizations is not extensive; it comprises Concern International, Trócaire, and Goal. Of these, Goal is not a member of Dóchas and is not a party to the Code on Images; in a sense, it is outside the system, "not engaging with Dóchas on the issue of images and messages, not involved in trainings" (Int. 2). However, Goal was felt to have some of the most shocking imagery. This was attributed to the peculiarities of the NGO – that it was family run, very hierarchical – and to its CEO, a former journalist (Int. 4, Int. 2). The other two large organizations, Concern and Trócaire, are quite active in Dóchas and well-represented at meetings on Code implementation and strategy. Indeed, of the key Code drafters, one of the most important was a Concern development educator, Lizzy Noone, and her successor as Dóchas DEEEP representative was John Smith of Trócaire. But organization buy-in has been harder to achieve, particularly because buy-in must be achieved at multiple levels of the agency.

In large organizations, we also find a microcosm of the larger field-wide divide between development education and fundraising. As a staffer at a development education organization explained: "We don't have to go out on the street and get public funding with booklets. So, therefore, we can have a slightly loftier position on it than someone in a big organization like a Trócaire, Concern, or any of the big agencies that have to rely on fundraising to do their education to people" (Int. 3). The large NGOs have correspondingly large fundraising sections. Thus, there are compelling organizational reasons why larger NGOs would use stronger images. As a veteran of the Irish nonprofit sector observed, there are instances when, especially in emergency response situations, large agencies "sometimes show photographs that I don't think are really upholding the

principle of the Code, but I think they also make a specific decision to do that. I think they decide that actually, maybe this photograph is not really respecting the dignity of the person in it, but this is an emergency, we need to shock people a little bit" (Int. 19; Dillon 2012: 6).

Section V – Talking principles, precedent

Because the Code of Conduct on Images and Messages is so recent, it would be imprudent to make overly forceful statements on its impact on the aid and development field in Ireland and Europe. For example, despite its objectives, it is unlikely that the Code has yet had time to alter the fundamental dynamic between fundraising and development education. What is apparent, though, is that the document is actively being used by some development educators to provoke conversations within their organizations and across the field about the meaning and purposes of aid and development work – though, as Eilish Dillon found in her 2010-2012 review of the Code, there is still room for improvement (Dillon 2012). As a staffer at one of the large Irish agencies explained, the Code is an advocacy tool: "You can come with your Code of Conduct to your colleagues and say, 'You know, this is something that the organization as a whole has signed up to.' We just need to remind ourselves when we're creating campaigns, when we're creating public awareness, that we are mindful of this" (Int. 18). At other organizations, I heard similar stories about the Code being used to re-orient discussions around questions of principle. At one mid-sized NGO, a worker noted that he had inserted the Code into advertising discussions during the response to the earthquake in

Haiti in 2010. This individual called the Code a "powerful device" for shifting the discussion from fundraising to principles (Int. 59).

Put more simply, the Code on Images, like other codes, is a platform on which ideational entrepreneurs can build their arguments, a basis for engaging with other societal actors. For instance, the Code on Images enables NGOs to engage with media actors on questions of principle. In recognition of the powerful role of the media in shaping public opinion, it was always envisioned that NGOs would use the Code to pressure the media to reflect on its images and messages (McGee 2005a: 21; Int. 3; Doorly 2005: 2). This has not been the Code's primary focus, but it *has* continually come up as an issue (Int. 4, Int. 2). Indeed, one of the purposes of the 2009 conference "Portraying the Developing World" was to engage with the media (Boyle 2009). In addition, as I discuss below, the outcome of the Charities Act 2009 demonstrates the power of self-regulatory initiatives to channel state regulatory intervention in ways that suit the sector's desires for independence of action. As a precedent for sector regulation, the Code on Images was integrated into the Act.

The Code on Images has also given Dóchas itself a platform for exercising field leadership – in Europe, as in Ireland. A non-Irish member of DEEEP recalled: "The Irish took it on, they led it, for the DEEEP forum, but also for their own interests. Dóchas saw an opportunity to actually get a debate going within all the NGO members of Dóchas... For Dóchas, it was a Code they could get accepted – it was a pan-Irish Code" (Int. 44). Although Dóchas is one among peers in the sense that it is a signatory to the Code, not a secretariat (Int. 23), as the national platform it holds agenda setting power

and commands a high level of respect. Dóchas' own publications tout its leadership in developing and promoting the Code of Conduct. For instance, in its 2006 Annual Report, Dóchas wrote: "Taking an EU-wide leadership position, Dóchas members developed a new Code of Conduct on Images and Messages" (Dóchas 2007b: 4). In its 2007 Annual Report, Dóchas called the unanimous adoption of the Code on Messages "arguably the most significant development during 2007," emphasizing that it "demonstrates the power of NGO self-regulation" (Dóchas 2008a: 4). And, in its 2008 Annual Report, Dóchas maintained that development NGOs were well ahead of charity regulation and that Irish NGOs were "leading the way" in terms of NGO accountability (Dóchas 2009a: 3; 2010a: 19). In addition to the Code on Images, Dóchas has developed the Code on Corporate Governance.[173] To the extent that Dóchas has successfully used the Code to improve its stature in the field, it demonstrates the potential for self-regulation to shift the position of actors within a field.

Finally, even in such a short period of time, the Code on Images has started to weave itself into the regulatory fabric of the field in Ireland. The 2007 revisions looked heavily within the field of aid and development for models, including the Red Cross/NGO Code of Conduct, which addresses images, and the Convention on the Rights of the Child (McGee 2005a ; Dóchas 2008c: 13). The Code is also just one of several initiatives pushed by Dóchas as part of its accountability framework.[174] Perhaps most

[173] Dóchas argues that the Code on Corporate Governance has been accepted by the wider non-profit sector as an excellent basis for the development of sector-wide standards (Dóchas 2010a: 4).
[174] These include CONCORD's NGDO Charter, which Dóchas members are required to sign, and the Dóchas-developed Code of Good Practice on Corporate Governance. On its website, Dóchas lists the Code on Images side by side with the Code of Conduct, People in Aid, Sphere, ECB, and HAP, among others. And Irish organizations take part in multiple initiatives. For instance, Concern is a signatory to the NGO Code of Conduct, the Code on Images, HAP International, and feeds in to Sphere.

importantly, the Code on Images has already served as a precedent for other initiatives. One of the Irish coders referred to the Code as "one link in the chain, one piece in the jigsaw" (Int. 18). Since 2007, it has influenced two major initiatives inside Ireland, both of which up the ante in terms of enforcement.

First, Comhlámh, a Code signatory and itself a membership organization, has developed a "Code of Good Practice for Volunteer Sending Organisations" and a "Volunteer Charter." Collectively, these standards are intended to promote accountable, professional practice among volunteer sending organizations (both nonprofit and for-profit). The Code on Images was a major influence; the Code itself is included in the back of the document and its principles are encompassed by the Code of Good Practice's Third Principle, which is that organizations "provide marketing and imagery consistent with good practice, and clear expressions of organisational aims, ethos and values" (Comhlámh 2009: 2). It actually goes even further than the Code on Images in setting up rigorous compliance measures, including a yearly self-audit and a voluntary external auditing process with, possibly, the option of earning a 'kite mark' through certification (Int. 21; Int. 22).

Even more recently, the Code on Images has helped shape the early implementation of the Irish Charities Act 2009. The Act specifies that the operational and administrative aspects of nonprofit fundraising will be regulated by agreed codes of practice developed within the sector; the goal is to improve public confidence in charities through transparency and accountability (ICTR). At the government's invitation, the Irish Charities Tax Reform Group (ICTR) has taken the lead role in the development of

codes of good practice; this process yielded the Statement of Guiding Principles for Fundraising (ICTR 2008). In the words of one of the people involved in the study, the Code on Images played a major role:

> What we were able to say was, "Here is an example of the sector in Ireland taking steps to regulate itself" – the sector in Ireland being very underdeveloped and with very weak infrastructure compared to the US or other countries. So the Code on Images ends up being part of the regulatory framework which the government is introducing for all of the registered charities in Ireland… It is now listed as part of the registry process. And what it does do is give the sector some footing and some possibilities to engage with the state when it comes to developing a regulatory framework, because you have people at the table by virtue of having gone through some of the other processes who are able to say, "This is how it's working" (Int. 12).

As a result, the Code on Images was actually incorporated as part of the guiding principles of ICTR's work. The Guiding Principles go further than the Code in setting up tight compliance mechanisms. Indeed, ICTR is very clear that the Guiding Principles are not self-regulation but co-regulation: "You had people who had interests of the sector at heart, but were very clear about standards" (Int. 24). There was a real demand from the sector for this, which was "very conscious that all it would take was one scandal and everyone then suffers. And there were mini ones, there are always little controversies, and it damaged everyone, so there was a real demand – the sector wanted this, probably more than the government, in a sense" (Int. 24).

Conclusions

The Code of Conduct on Images and Messages, developed in isolation from other major self-regulation initiatives, nonetheless exemplifies the transformations in aid and development in recent decades. Born in a context of organizational growth and change,

the Code is ultimately the product of a small group of ideational entrepreneurs motivated by ideas of proper practice. Like the RC/NGO Code of Conduct, Sphere, and HAP, then, the Code has served as a vehicle for advancing new understandings of humanitarian identity and principles. Specifically, the Code has been a means for development education to provoke a conversation with fundraising, a platform for Dóchas to demonstrate European leadership in the area of accountability, and a tool for practitioners to rethink their principles of action in a time in which good intentions are seen as no longer being enough. Thus, quite aside from the question of its impact on images, codes have powerful implications for NGO practice.

At the level of practice, the Code exemplifies findings in previous chapters that, collectively, suggest the importance of small groups of entrepreneurs in motivating change and the necessity of a central institution to serve as a focal point for codification. Like the Red Cross Code of Conduct, the 1989 Code struggled to remain alive in the absence of a secretariat. When Irish agencies "dusted off" the Code in 2004, they learned important lessons from the failure of the first version. DEEEP and, especially, Dóchas have played key roles keeping the Code fresh and relevant. Like the Sphere and HAP main offices, Dóchas has served as a focal point in efforts to stimulate institutionalization of the Code. The continued vitality of the Code is clearly linked to the continued willingness of Dóchas and DEEEP to keep supporting its institutionalization.

Ch. 7 – Conclusions

Since the drafting of the first codes of conduct in the late 1980s, self-regulation has become a widespread and far-reaching humanitarian phenomenon. The publication of the *Code of Conduct on Images and Messages Relating to the Third World* in 1989 and the *Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organizations (NGOs) in Disaster Relief* in 1994 marked the beginning of a movement to codify field-wide principles and develop standards to govern practice. Until this point, humanitarian interventions were still largely based on experience, intuition, and field sense; where there were guidelines, they were largely agency-specific. Today, practitioners have at their disposal a wide range of metrics, indicators, and guidelines. In real ways, compassion has been codified; it has been subjected to processes of rationalization and rule-making.

Today, the codification phenomenon continues apace, most notably with the 2011 launch of the Joint Standards Initiative (JSI). The JSI process, which brings together the Sphere Project, HAP International, and People In Aid, potentially foreshadows the development of a coherent approach to humanitarian quality and accountability. This initiative, as well as several other changes, is assessed in this concluding chapter. I begin by returning to this dissertation's main themes and findings before assessing trends and future areas for research.

Main findings

I have approached the study of humanitarian self-regulation through a detailed

analysis of the origins and development of four key initiatives – the Red Cross Code of Conduct, the Sphere Project, HAP International, and the Code of Conduct on Images and Messages. I have presented these individual efforts at standard setting as belonging to a broader struggle by humanitarians to clarify their sector's deontology, establish its identity, and define the rules by which it is practiced. Theoretically, this research has been underpinned by the sociological concept of the organizational field. *Organizational fields* are local social orders constituted by organizations. The humanitarian organizational field, which includes thousands of operational agencies, large and small, spread across the globe, has historically been dominated by large organizations in the power centers of Europe and the United States. This is reflected in the major regulatory efforts, which are nearly all situated in the global north.

Applied to this research, the organizational field has provided an alternative to the rational actor models so preeminent elsewhere in Political Science, which have recently made their way into the study of humanitarianism. Rather than assuming the existence of atomistic, egoistic actors, I have been attuned to the interrelations among agents, their points of contact and friction, and the shared social frames by which events become intelligible. In Chapter 1, I suggested that the organizational field helped elucidate three aspects of code design and promotion: constitution, competition, and connection. Let us return to these points.

One of the research's key findings is that ostensibly technical or principled standards are also *constitutive*; to adhere to a set of standards, to embed it in an organization, and to put it into practice, is tantamount to adopting a new humanitarian

identity. Though self-regulation is rooted in professional trends and punctuated by events like those in Ethiopia and Rwanda, it is reducible to neither and it was not inevitable. From the Code of Conduct to HAP International, each initiative emerged out of a political, highly contingent process of ideational entrepreneurship and negotiation. Veterans like Peter Walker, Tony Vaux, and Nick Stockton were motivated by deep and enduring beliefs that prevailing practices – those rooted in charity and good intentions – were simply not sufficient.[175] Though the approaches to standardization have differed, often dramatically, one commonality has been the decision to use standards to advance alternative accounts of what humanitarianism is and how it is practiced. As former HAP consultant Sara Davidson put it: "It is self-regulation… that distinguishes 'the accountable organisation' from its peers" (Davidson 2002: 13). Self-regulation thus becomes the signifier of a new humanitarian order: that which is rights and duty-based, professional, and technically proficient.

As a number of commentators have noted, documents like the Code of Conduct and Sphere's Humanitarian Charter and Minimum Standards have come to operate as "soft law" in the humanitarian field (e.g. Slim 2006: 160). To the extent that signing up is now obligatory for membership in key bodies like DFID and SCHR and expected by institutional donors, these standards are coming to define the rules of the humanitarian game and the conditions for entry into the humanitarian field. Field-level implementation remains profoundly uneven, but my research uncovered considerable evidence of organizations integrating these standards into their standard operating procedures and

[175] For HAP, planning relief without respecting and accounting for disaster survivors is "charitable" rather than "humanitarian" (HAP 2011c).

practitioners identifying them as foundational documents. The Code, Sphere, and, increasingly, HAP are part of the *acquis* of the humanitarian field.

It is precisely because codes carry ideational baggage that they are *contested*. The study of self-regulation is the study of *how* the field of humanitarianism is governed (by what rules) and of *who* does the governing (where are the centers of gravity). Each initiative has faced questioning – sometimes even outright opposition – by humanitarians with different understandings of how humanitarianism should be practiced. The Code of Conduct was drafted at a time when development NGOs were entering a domain previously dominated by the ICRC and MSF; the Code's roll-out was punctuated by diverging opinions on its applicability and reach. Was the Code just intended for disaster response, as the ICRC argued, or could it be used more broadly, as has come to pass? Sphere and HAP faced an acute Anglo/French cleavage on questions of universals, context, responsibility, and, ultimately, codification itself. With HAP, there were additional debates within the Anglo camp on models and mechanisms for ensuring accountability. Finally, the Code on Images was intended to provoke a meaningful conversation between development educators and fundraisers on questions of values and identities.

These contestations relate to, but are not reducible to, fear of enforcement. Where the topic of enforcement – monitoring, reporting, and sanctions – has been broached, it has certainly raised the temperature of the discussions. This was evident in the development of Sphere, where talks on enforcement broke down, and very much a feature of the Ombudsman/HAP story. However, among the most vocal opponents of

regulation, the crucial issue has not been fear of enforcement, i.e. of being publicly held to account for commitments.[176] Rather, enforcement increases the stakes of the regulatory game. The issue is *which* standards will be enforced, *how* they will be enforced, and to *what* end. The debate over these rules is a debate over *rule* itself.

Finally, the field approach to self-regulation has illuminated the increasing *connectedness* of the humanitarian sector. This was quite apparent in the analysis conducted in Chapter 2, where evidence was provided of the technological, informational, and organizational structures that increasingly join humanitarians together in a common endeavor. There was also evidence of this in each empirical chapter, as personnel, concepts, and organizations recurred across initiatives. In terms of personnel, a handful of individuals drove most of the initiatives. Peter Walker was a key proponent of the Code of Conduct and Sphere; Nick Stockton of Sphere and the Ombudsman/HAP, and John Mitchell of the Ombudsman and ALNAP. John Borton, who wrote Study 3 of the Joint Evaluation of Emergency Assistance to Rwanda, founded ALNAP and writes HAP's yearly *Humanitarian Accountability Reports*. The standards themselves form something of a regulatory web, with the Code of Conduct and the Humanitarian Charter providing the values, Sphere the standards, and HAP the compliance verification. The processes by which the Sphere Handbook and HAP Standard were updated included mutual consultations and, on the ground, there are joint deployments, field meetings, and evaluations. Membership also overlaps considerably. Concern International is a signatory to the Red Cross Code and the Code on Images, a certified member of HAP

[176] Though this undoubtedly *does* figure in the calculations of many agencies, my research found that the most common objections, by far, related to issues of identity or capacity.

International and People In Aid, has fed into the Sphere Standards, and is a party to several other national and international quality instruments. World Vision International is a board member of HAP, Sphere, and People In Aid and a signatory to the Code of Conduct, among others. These are not isolated examples; they illustrate just how embedded the large humanitarian agencies are in the humanitarian web.

Trends in self-regulation

The recent history of humanitarian quality and accountability has been characterized by a progressive deepening, as well as rapid expansion, in the scope and number of initiatives. While these two trends are expected to continue in the near future, they are also not likely to go unchallenged; already, there are increased pressures on humanitarians to demonstrate the added value of Q&A, as well as to improve coherence among these initiatives. This section and the subsequent section assess these trends.

Viewed historically, there has been a very clear trend – particularly among the major Anglo-Saxon codes – towards more institutionalization and stronger enforcement. The 1994 Red Cross/NGO Code was voluntary, abstract, and floating, set up without an institution to oversee implementation. It was foundational, but it was also not robust; future initiatives have increased their levels of specificity and oversight. The Code influenced the Sphere Project (1997), which yielded detailed technical guidelines and was supported by a main office, and HAP International (2003), which was set up with a secretariat, certification, and reporting requirements. Similarly, the first Code of Conduct on Images and Messages (1989) was voluntary, abstract, and floating. Subsequent efforts to revive the document in Ireland and Europe very clearly reflected a realization that

voluntary adherence to a code goes only so far; without supportive architecture, a standard risks being relegated to the 'dusty shelf.' Irish entrepreneurs thus positioned Dóchas in Ireland to keep the Code alive; to an extent, DEEEP has performed the same function in Europe through its working groups. In Ireland, as implementation has proceeded, there is increasingly discussion about stronger mechanisms, and efforts have been made to specify the Code's abstract principles through the development of an illustrated guide.

What the framers of these initiatives have recognized is that it is not enough to draft a set of standards and hope that they will be adopted by the wider community. A voluntary, unenforced, aspirational code – such as the Red Cross Code or the 1989 Code on Images – may be widely signed on to, and it provides space for flexible interpretation and response, but, as experience has shown, implementation will be uneven and it will be a struggle to keep the code alive, current, and relevant. Structures must actually be put in place to promote, pressure, and support implementation, encourage adherence, and facilitate revisions and updates. This process is a balancing act; agencies that are on board with a voluntary, decentralized process will not necessarily favor a permanent institution or enforcement – as was the case with MSF and Sphere. A more stringently enforced code has a higher likelihood of being implemented, but will attract fewer members because it leaves less room for flexibility in practices and interpretations and imposes higher administrative costs.

This dilemma – flexibility versus standardization – is inherent to the process of rule-making and bureaucratization; it is being experienced in humanitarian agencies

across the field. At the same time that they are developing system-wide standards, NGOs have expanded their own repertoire of rules and procedures. A HAP staffer noted that Oxfam America, for instance, has a 51 page organogram (Int. 11)! Margaret Buchanan-Smith captured this trade-off in a recent article in *Humanitarian Exchange*:

> Experienced mavericks in the aid business recount nostalgically how much freedom they were given by their organisations to lead, design and run humanitarian programmes in the 1970s and 1980s, with only the occasional report back to head office. A huge amount of trust was placed in their hands and in their abilities. But we also know that many mistakes were made… Turning the clock back is not an option. However, … there has been a growing tendency in the sector in the last 15 years to try and nail down how it 'should be done'. The ever-increasing corpus of standards and guidance materials that has resulted may have inadvertently discouraged the initiative and innovation associated with leadership (Buchanan-Smith 2011: 20).

The progressively rule-bound nature of the system is also exemplified by the sheer number of standards that exist, with new initiatives appearing each year. One World Trust's database of global civil society self-regulatory initiatives includes 309, of which 33 are labeled "Humanitarian / emergency relief." The HAP 2010 *Humanitarian Accountability Report* sounded a cautionary note, explaining that: "New initiatives seem to be established with little apparent reference to, or coordination with, existing initiatives and programmes. Similarly, existing initiatives are being carried forward by different groups of actors often in parallel to, and with limited engagement with, initiatives that are quite closely related" (HAP 2011e: 54). ALNAP's Knox-Clarke and Mitchell suggest that the performance of humanitarian organizations could actually be damaged by the confusion generated by large numbers of initiatives. They note that: "Many humanitarians – and particularly those working at the field level – are confused by the

variety of approaches and frustrated by the burden of form-filling and reporting" (Knox-Clarke and Mitchell 2011: 4).

There is already evidence that local staff are sometimes unable to differentiate among Q&A initiatives. In Aceh, HAP found that aid workers did not always understand the differences between HAP and Sphere (HAP 2006c: 33); Church World Service reported confusion among Sphere trainees in Islamabad over the large number of Q&A standards (Wooster 2008: iii). In Chapter 5, I also noted that critics of the Ombudsman/HAP frequently conflated the initiative, and their critiques, with Sphere. Issues relating to confusion have been raised at various Q&A group meetings (e.g. Q&A Meeting Report 2007 ; Sphere Project 2009e: 3).

The other critical issue is capacity. Even the largest international NGOs now devote significant resources to fulfilling Q&A, in-house, and donor evaluation and reporting requirements. HAP's 2007 *Accountability Report* raised this issue in great detail:

> Many field staff reported their bewilderment at the prospect of being asked to participate in a HAP accountability audit, an SCHR accountability peer review, a People in Aid Code Audit, an ECB real-time participatory evaluation, a DEC or ACFID Code of Conduct compliance evaluation, an ALNAP joint-evaluation, a Sphere implementation review, an IASC Guidelines on the Prevention of Sexual Exploitation implementation audit, an accreditation process under the UN cluster initiative and, soon perhaps, a "Global Professional Standards" self-assessment launched under the NGO Impact Initiative (HAP 2007d: 42).

More anecdotally, a humanitarian worker interviewed for a recent ALNAP study "recounted how, in the 1990s, he used to spend 90% of his time in the community and 10% on reporting. Now he spends at least 50% of his time communicating with

headquarters. This is how rigorous and demanding reporting requirements have become" (Buchanan-Smith 2011: 19). The risk is that standards have become ends in themselves.

Impact and coherence

While the deepening and proliferation of codes is not soon to abate, it is increasingly being challenged. Humanitarians face two lines of questioning that are likely to intensify in the future: First, there is mounting pressure on aid workers to show the added value of Q&A initiatives – to demonstrate impact. Second, there will be a stronger push for coherence, or even mergers, among the leading initiatives.

As I found in each chapter, the question of self-regulation's impact on humanitarian outcomes is not an easy one to resolve. Though humanitarians are immensely interested in assessing impact, crisis situations simply do not lend themselves naturally to precise measurement. Consequently, though anecdotes suggest that Q&A has had a genuine impact on practice, it is difficult to demonstrate this in a systematic, generalizable way; the need to self-regulate has often been taken on faith or logic by its proponents. This is not likely to be enough in the future. As Antonio Donini has asked:

> For all the advances in technology, all the training in management, 360 degree exercises, and contingency planning workshops, how well has the massive institutionalization that has taken place over the past 15 years of conflict and crisis improved the effectiveness of the sector? Are the 250,000 humanitarian aid workers of today doing a better job than those who battled for access and space in Biafra? (Donini 2007: 3)

ALNAP's Knox-Clarke and Mitchell have admitted that more work on impact is needed, and that, at this point, "the systematic demonstration of results and impact still seems to be beyond the capacity of the humanitarian community" (Knox-Clarke and Mitchell

2011: 5).

While attention to impact is a legitimate objective, it carries certain risks. One of the primary drivers of self-regulation is to shift the bases of legitimate action. This is an ideational function, not something that can readily be adjudicated by better baseline measurement or evaluation. Consequently, humanitarians must ensure that impact *not* be the sole metric by which quality is judged, lest it reinforce an already strong tendency to focus on that which is measurable, such as goods distributed or focus groups held, and not on that which is immeasurable, like solidarity, efficaciousness, and autonomy. If measurable impact becomes the sole arbiter of a standard's usefulness, those standards that lend themselves naturally to measurement will logically be privileged over those that are more flexible and open to interpretation.

A second implication of proliferating standards is that there is now growing pressure on the major initiatives to improve coherence and interoperability. Although some of this is coming from donors, there is also momentum within the sector to reassess the relationships among the standards. As a former senior staffer at HAP explained, "it has never made sense to me that three very tiny secretariats are each going to the same donor to ask for administration budgets when we could be sharing office space" (Int. 66). It is inefficient, costly, and often results in duplication of services. This movement has been given a recent boost by the SCHR, which hosted a workshop in December 2010 with PIA, HAP, Sphere, VOICE, and ICVA to discuss standards. This high-powered gathering yielded the recommendation that different Q&A initiatives be consolidated into "a single quality and accountability portal that would act as an umbrella custodian of

these norms and standards with a clear Q&A brand" (qtd. in HAP 2012: 40). This recommendation helped create momentum for the Joint Standards Initiative (JSI).

Though the representatives of many of the humanitarian Q&A initiatives have met on a regular basis since 2003 – first in a group called Quality and Accountability Initiatives (QUAINT); later in the Q&A Group – progress towards a joint approach has been sporadic. As one of Sphere's founders reflected, each of the Q&A initiatives had developed its own persona, with Sphere, HAP, ALNAP all saying to each other, "'Yes, we should cooperate, but you cooperate with me because I'm not going to give up any power.' Little fiefdoms" (Int. 15). In interviews in 2011, I encountered several members of the Q&A Group who were frustrated by what they perceived as a lack of organization and direction (Int. 46, Int. 52). As I noted in Chapter 5, despite some progress in joint HAP/Sphere deployments, it was felt that the Q&A Group had started to lose steam.

The Joint Standards Initiative appears different. Launched on July 20, 2011, at a meeting hosted by SCHR, representatives of Sphere, HAP, People In Aid, and ALNAP agreed to strengthen their collaboration, including developing a common brand for Sphere, HAP, and PIA, creating a single web portal, commissioning an evidence-based study to demonstrate the added value of international standards, and, ultimately, developing a common field handbook (HAP International et al. 2011). This was followed by a joint deployment in the Horn of Africa in 2011 and a meeting of the joint Boards of Sphere, HAP, and PIA in April 2012. Senior staff at HAP International have even floated the idea of a possible merger of the initiatives (Int. 66). While the process is still in its very early stages, several participants spoke highly of the depth of commitment

from the leadership at HAP, Sphere, and PIA (Int. 64, Int. 65, Int. 66). Maintaining this appears to be essential if the JSI is to be successful.

The JSI is a potentially dramatic, far-reaching development; if successful, it would signal the realization, 15 years after the post-Rwanda JEEAR, of a unified approach to humanitarian quality and accountability. Inter-operability among the three self-regulatory initiatives would mean a coherent regulatory approach to a wide range of NGO practices. From principles (Sphere's Humanitarian Charter) to relief standards (Sphere's Minimum Standards) to beneficiary accountability and quality management (the HAP Standard) to the management of personnel and human resources (the PIA Code), the JSI's coverage would be comprehensive. The efficiency gains would be tremendous. The peril, of course, is that such a large initiative would threaten to squeeze out alternative approaches to quality, such as Groupe URD's Compas Qualité or Coordination Sud's Synergie Qualité. A unified JSI would command the lion's share of donor funding and practitioner attention; it would foreshadow a possible hegemony of Anglo-Saxon approaches to Q&A, thus becoming the definitional statement of what constitutes legitimate humanitarian practice.

Future research directions

The discussion of trends underscores the fast-track evolution of humanitarian self-governance. While this research is among the first to look at this phenomenon, it is unlikely to be the last. It is only appropriate to conclude by posing several questions for further inquiry.

What is the nature of the relationships among different organizational fields and

under what conditions do ideas from one field successfully diffuse into another field? The field of humanitarianism is a relatively recent construction and its roots are polymorphous; it encapsulates aspects of international law, medicine, development, religion, human rights, and business. Self-regulation is an attempt to impose a level of coherence on these disparate elements. Though the Code of Conduct and Code on Images looked largely within the sector for inspiration, subsequent efforts have looked in a comparative fashion at innovations in other fields. Sometimes these ideas fit naturally, as was the case with Sphere's rights-based approach; this reinforced a growing tendency in humanitarianism to present humanitarian needs as essential human rights. Other ideas have proven more difficult to integrate. Part of the challenge for HAP has been to overcome the perception among its critics that quality management techniques are foreign or ill-suited to humanitarianism. Research on the interplay between various fields would be well positioned to address questions of diffusion and reception.

Additional research might also apply the organizational field approach to regulatory efforts outside of humanitarianism. For instance, how neatly does the humanitarian experience with codification map onto the history of corporate social responsibility (CSR)? How deeply embedded is CSR in the identities of various corporations? What has been its impact on the rules of the game and who has benefited?

Finally, there is space for additional research on Q&A in a southern context. There is considerable evidence that the self-regulatory phenomenon extends far beyond Europe and the United States; a 2010 study by OneWorldTrust and World Vision identified 90 national self-regulatory initiatives in 54 southern countries (HAP 2011e:

25). Sphere and HAP have also made concerted efforts to include southern representation in their governance, such as with Sphere India, and two thirds of HAP's membership is southern (Int. 64). However, the drivers for and development of these global standards has come predominantly from the global north and questions remain about their universal applicability, as I found with both the Code of Conduct and Sphere. Research in this vein would investigate the drivers of southern self-regulation and the ease with which the major Q&A initiatives have been implemented in southern locations.

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APPENDIX I

Interviews

- Interview 1, 6 July 2009, Helsinki, Finland
- Interview 2, 16 July 2009, Dublin, Ireland
- Interview 3, 16 July 2009, Dublin, Ireland
- Interview 4, 17 July 2009, Dublin, Ireland
- Interview 5, 17 July 2009, Dublin, Ireland
- Interview 6, 28 July 2009, Tampere, Finland
- Interview 7, 29 July 2009, Helsinki, Finland
- Interview 8, 29 July 2009, Helsinki, Finland
- Interview 9, 29 July 2009, Helsinki, Finland
- Interview 10, 28 June 2010, Geneva, Switzerland
- Interview 11, 28 June 2010, Geneva, Switzerland
- Interview 12, 30 June 2010, by telephone
- Interview 13, 30 June 2010, by email
- Interview 14, 3 July 2010, Geneva, Switzerland
- Interview 15, 3 July 2010, Geneva, Switzerland
- Interview 16, 8 July 2010, Maynooth, Ireland
- Interview 17, 8 July 2010, Maynooth, Ireland
- Interview 18, 8 July 2010, Maynooth, Ireland
- Interview 19, 13 July 2010, Dublin, Ireland
- Interview 20, 14 July 2010, Dublin, Ireland
- Interview 21, 14 July 2010, Dublin, Ireland
- Interview 22, 14 July 2010, Dublin, Ireland
- Interview 23, 16 July 2010, Dublin, Ireland
- Interview 24, 16 July 2010, Dublin, Ireland
- Interview 25, 20 July 2010, Dublin, Ireland
- Interview 26, 20 July 2010, Dublin, Ireland
- Interview 27, 21 July 2010, England
- Interview 28, 23 July 2010, Birmingham, England
- Interview 29, 27 July 2010, London, England
- Interview 30, 28 July 2010, London, England
- Interview 31, 3 August 2010, Geneva, Switzerland
- Interview 32, 3 August 2010, Geneva, Switzerland
- Interview 33, 3 August 2010, Geneva, Switzerland
- Interview 34, 4 August 2010, Geneva, Switzerland
- Interview 35, 4 August 2010, Geneva, Switzerland
- Interview 36, 13 August 2010, Geneva, Switzerland
- Interview 37, 13 August 2010, Geneva, Switzerland
- Interview 38, 13 August 2010, Geneva, Switzerland
- Interview 39, 23 November 2010, by email
- Interview 40, 23 November 2010, by email

- Interview 41, 26 November 2010, by telephone
- Interview 42, 26 November 2010, by email
- Interview 43, 2 February 2011, by phone
- Interview 44, 15 February 2011, by phone
- Interview 45, 19 April 2011, by phone
- Interview 46, 3 June 2011, Cambridge, MA
- Interview 47, 3 June 2011, Medford, MA
- Interview 48, 4 June 2011, Medford, MA
- Interview 49, 4 June 2011, Medford, MA
- Interview 50, 4 June 2011, Medford, MA
- Interview 51, 4 June 2011, Medford, MA
- Interview 52, 4 June 2011, Medford, MA
- Interview 53, 5 June 2011, Medford, MA
- Interview 54, 5 June 2011, Medford, MA
- Interview 55, 5 June 2011, Medford, MA
- Interview 56, 5 June 2011, Medford, MA
- Interview 57, 6 June 2011, Medford, MA
- Interview 58, 6 June 2011, Medford, MA
- Interview 59, 13 December 2011, by email
- Interview 60, 27 March 2012, by phone
- Interview 61, 13 April 2012, by phone
- Interview 62, 13 April 2012, by phone
- Interview 63, 16 April 2012, by email
- Interview 64, 10 May 2012, by phone
- Interview 65, 18 May 2012, by email
- Interview 66, 7 June 2012, by email

APPENDIX II

The Code of Conduct (1994)

The Code of Conduct for The International Red Cross and Red Crescent Movement and NGOs in Disaster Relief, was developed and agreed upon by eight of the world's largest disaster response agencies in the summer of 1994.

The Code of Conduct, like most professional codes, is a voluntary one. It lays down ten points of principle which all humanitarian actors should adhere to in their disaster response work, and goes on to describe the relationships that agencies working in disasters should seek with donor governments, host governments and the UN system.

The code is self-policing. There is as yet no international association for disaster-response NGOs which possesses any authority to sanction its members. The Code of Conduct continues to be used by the International Federation to monitor its own standards of relief delivery and to encourage other agencies to set similar standards.

It is hoped that humanitarian actors around the world will commit themselves publicly to the code by becoming a signatory and by abiding by its principles. Governments and donor organizations may want to use the code as a yardstick against which to measure the conduct of those agencies with which they work. Disaster-affected communities have a right to expect that those who assist them measure up to these standards.

<u>Principles of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Response Programmes</u>

1.The humanitarian imperative comes first.

2.Aid is given regardless of the race, creed or nationality of the recipients and without adverse distinction of any kind. Aid priorities are calculated on the basis of need alone.

3.Aid will not be used to further a particular political or religious standpoint.

4.We shall endeavour not to act as instruments of government foreign policy.

5.We shall respect culture and custom.

6.We shall attempt to build disaster response on local capacities.

7.Ways shall be found to involve programme beneficiaries in the management of relief aid.

8.Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting

basic needs.

9.We hold ourselves accountable to both those we seek to assist and those from whom we accept resources.

10.In our information, publicity and advertizing activities, we shall recognize disaster victims as dignified human beings, not hopeless objects.

(*Annexes not included here*)

APPENDIX III

Code of Conduct on Images and Messages (2007)

Preface

This Code of Conduct on Images and Messages has been written by NGOs working in the areas of emergency relief, long term development and development education. The purpose of this Code of Conduct is to provide a framework on which organisations can draw when designing and implementing their public communications strategy. The Code offers a set of guiding principles that can assist practitioners in their efforts to communicate their organisation's programmes and values in a coherent and balanced way.

Signatories to this Code are acutely aware of the many challenges and difficulties entailed in conveying the scandal and injustice of poverty while striving to meet the ideals of the Code. It is a reality of our world today that many of the images of extreme poverty and humanitarian distress are negative and cannot be ignored. To ignore them would run counter to the spirit of this Code which is to portray the reality of the lives of people with sensitivity and respect for their dignity.

Images and messages should seek to represent a complete picture of both internal and external assistance and the partnership that often results between local and international NGOs.

The values of human dignity, respect and truthfulness as outlined in the Code, must underlie all communications. The signatories to this Code are committed to these principles, and will translate them into internal policies and procedures. They are also committed to working constructively with others whose work involves communicating on issues of global poverty, to explore ways of reflecting these principles in other fields of communications.

By signing and promoting this Code, NGOs will continue to keep the development agenda very much in the public eye and to look beyond the sound bite or single image to reflect the values espoused in this Code.

Code of Conduct on Images and Messages

a. Guiding Principles

Choices of images and messages will be made based on the paramount principles of:

- Respect for the dignity of the people concerned;
- Belief in the equality of all people;
- Acceptance of the need to promote fairness, solidarity and justice.

Accordingly in all our communications and where practical and reasonable within the need to reflect reality, we strive to:

- Choose images and related messages based on values of respect equality, solidarity and justice;
- Truthfully represent any image or depicted situation both in its immediate and in its wider context so as to improve public understanding of the realities and complexities of development;
- Avoid images and messages that potentially stereotype, sensationalise or discriminate against people, situations or places;

- Use images, messages and case studies with the full understanding, participation and permission (or subjects' parents/guardian) of the subjects;
- Ensure those whose situation is being represented have the opportunity to communicate their stories themselves;
- Establish and record whether the subjects wish to be named or identifiable and always act accordingly;
- Conform to the highest standards in relation to human rights and protection of the vulnerable people.
- Conform to the highest standards in relation to children's rights according to the Convention on the Rights of the Child (CRC); as children are the subjects most frequently portrayed

b. Declaration of Commitment

As signatories to this Code, we confirm that our commitment to best practice in communications affects the entirety of our organisation.

By signing the Code, we commit to putting in place meaningful mechanisms to ensure that the Code's principles are implemented throughout all activities of our organisation.

Our responsibilities as a signatory to this Code lead us to be accountable in our public communications as follows:

1. We will make the existence of the Code known to the public and all our partners and will provide a feedback mechanism whereby anyone can comment on the fulfilment of the Code and where any member of the public will have a 'right to challenge' our application of the Code.
2. We will communicate our commitment to best practice in the communication of images and messages in all our public policy statements by placing the following statement on our relevant public communications (annual reports, website, policy statements, governance documents, leaflets and communication materials etc):

"<Named Organisation> has signed the code of conduct on images and messages (www.namedorganisation.org/code) please send your feedback to code@namedorganisation.org"

3. We commit to assess our public communications on an annual basis according to the guiding principles.
4. We will include reference to adherence to the Code in the guiding principles of our organisation and ensure that the top management take the responsibility of implementing and adhering to the code
5. We will ensure that all relevant suppliers, contractors and media will adhere to the Code when working with our organisation.
6. We commit to training our staff on the use of images and messages.
7. We agree to meet on an annual basis and share our experience of using and implementing the Code with other signatory organisations.

APPENDIX IV

CONCORD's Institutional Structure (2008)